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OF THE

CITY COUNCIL OF BOSTON

FOR THE YEAR

Commencing February 6, 1911, and ending February 3, 1912.

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temporary changes, Dover st.: approval by railroad commissioners e 261

tracks, Beacon st.: Charles F. Hill *et al.*, petition that tracks be laid; order that said company be requested to lay tracks from Massachusetts ave. to Charles st., passed c 465

tunnel from Park sq. to Grove st.: communication from mayor transmitting plans, placed on file e 19

tunnel route: notice of hearing c 364; report, placed on file c 369

Boston Express Exchange.

petition to be repaid licenses c 334

Boston Ice Company *et al.*

sidewalk, Howard st., petition c 372–granted c 373

Boston Newsboys' Protective Union.

copy of resolution protesting against passage of order relative to turning over to school committee the jurisdiction of licensing minors now under the city clerk e 193, 194–referred to executive committee c 194

Boston Old Brigade of Boston, England.

communication from the secretary suggesting that the City of Boston send members of brigade a union jack to be carried Coronation Day, referred to executive committee e 57–report, accepted, placed on file c 77

Boston, Revere Beach & Lynn Railroad Company.

police: notice of appointment of Maurice W. Fitzgerald and James E. Wallace c 150; notice of appointment of D. Henry O'Hara e 212; notice that Leroy Brown is no longer employed c 212; notice that D. Henry O'Hara is no longer employed c 279; notice of appointment of John A. MacNeil c 308; notice that Patrick J. Vinard is no longer employed c 308

Boston Street.

sidewalks: William E. Wight, petition e 93–granted c 98; James H. Clapp, petition e 93–granted e 98

Boston Transit Commission.

award to city for damages: communication from the mayor transmitting notice from secretary relative to award of damages Beacon st. c 181, 188; order authorizing acceptance of said sum, referred to executive committee c 188–report, accepted, order passed c 202

Boston Work Horse Parade.

order for closing streets May 30, during parade, passed c 151

Boston & Albany Railroad Company.

plan of land: plan and description of land in Brighton conveyed to said railroad, placed on file c 134

Boston & Eastern Electric Railroad Company.

order for hearing on application of directors asking that route of said railroad within city limits be fixed as shown on maps submitted, passed c 319–hearing, referred to executive committee c 324–report, with preamble and order c 373, 374–passed c 374

modification of route: notice of hearing on petition for c 443

Boston & Maine Railroad Company.

police officer: notice of nonemployment of certain officers c 364; William L. Anger, appointed c 364

unclaimed baggage: petition to sell c 372

Boston & Northern Street Railway Company.

purchase of Old Colony Street Railway Company: *see* Old Colony Street Railway Company

Boston & Providence Interurban Electric Railway.

notice of approval of railroad commissioners c 536

Bosworth, George N.

petition, compensation for damages, Tremont st., by bursting water main c 536

Boundary Lines, Perambulation of.

c 335; committee appointed c 445–report of committee, accepted, ordered printed c 457

Bowdoin Street.

sidewalks: George Murphy, petition c 118–granted c 120; Charles W. Ryder Harry Rockett, E. M. Mowatt, petitions c 93–granted e 98; C. H. Kraft, petition c 334–granted c 336

Bowen Street.

invalid tax deed: *see* Baker, Edmund K., or Claims

Boylston Street.

land, development of: *see* Street Laying-Out Department

sidewalk: J. M. Rothwell, petition c 307–granted c 319

Boylston and Providence Streets.

restrictions: *see* Public Lands

Brackett, Harriet.

petition, license for minors c 35–granted e 41

Bradbury, Annie E.

petition, compensation for damages to property, Harvest st. e 12

Bradshaw Street.

sidewalks: Maynard D. Hazen, petition c 163–granted c 173; order for construction, passed e 214

Brady, Hannah A., Mrs.

petition, compensation for damages to property, Wakullah st. c 364

Branch Libraries. (*See, also,* Library Department.)

communication from the mayor relative to c 9; order that special committee be appointed to investigate and report on necessity for branch libraries, discussed c 13, 14–passed c 14–committee appointed c 66; report of committee c 141, 143–accepted, ordered printed as a city document c 143

Branch Library, Savin Hill. (*See* Library Department.)

Brand, Frederick J.

appeared at hearing on street lighting c 128

Breen, William H.

petition, compensation for damage to property, City sq. c 307

Brennan, Edward F.

petition to be reimbursed expense of suit brought against him as a police officer c 237–report with order, accepted, passed c 490

Bridge Commissioner. (*See* Legislative Matters.)

Brigham, Mary C.

notice opposing acquiring of right of way or other easement in land, Adams st. and Dorchester ave. c 238

Brigham Hospital.

order that special committee be appointed, passed c 54

Brigham Will Hospital.

committee appointed c 88

Brighton.

branch library: *see* Library Department

lodging house conditions: *see* Health Department

Brimmer Street.

sidewalks: Francis C. Welch, petition c 334–granted c 336; Whitcomb & Kavanagh Company, petition c 307–granted c 319

Broad Street.

claim: *see* Dexter Brothers Company

Broadway Bridge.

appropriation, deficit: communication from the mayor transmitting order for transfer of $657.02 from reserve fund to appropriation for Broadway bridge, referred to executive committee c 161–report, accepted, order passed c 184

Broadway and Washington Street.

elevated station: *see* Boston Elevated Railway Company

Brookfield Street.

sidewalks: D. J. Meller, petition c 307–granted c 319; E. J. Harrigan, petition c 307–granted c 319

Brookford Street.

sidewalks: E. P. Smith, petition c 307–granted c 319; M. J. Crehan, petition c 307–granted c 319

Brookford Street School. (*See* School Department.)

Brookside Avenue.

sidewalk: Haffenreffer & Co., petition c 457–granted c 474

Brown, Edward.

petition, compensation for injuries to daughter c 86; petition for hearing on claim on account of injuries to daughter c 118

Brown, H. H.

petition to be paid expense incurred on account of injuries to wife c 485

Brown-tail Moths. (*See* Public Grounds Department.)

Brughts, Frederick C.

petition for retirement under provisions of chapter 459, Acts of 1910 c 133

Buckley, F. G.

sidewalk, Dudley st., petition c 372–granted c 373

Buckley, Timothy J., Councilman.

qualified: c 1

Buckley, Timothy J., Councilman, *continued.*

appointed: committee on soldiers' relief, temporarily c 5; committee on claims, public lands, soldiers' relief c 48; committee on branch libraries c 66; committee on Seventeenth of June c 74; committee on Brigham Will Hospital, Columbus Day c 88; committee on resolutions upon elevation of his Eminenee Cardinal O'Connell c 562

orders offered: election of clerk of committees c 5
expense of hearings c 14
half holiday, Evacuation Day c 14
projections over burial grounds c 31
extension of Arlington st. c 54
payment to Mrs. Duffy c 64
replacing trees, Washington st., Charlestown c 65
payment to Mrs. Duffy charged to reserve fund c 73
half holidays, public works employees c 73
buildings for Ward 23 playground c 95
macadamizing Saxton st. c 143
playground, Mattapan c 143
(2) benches in parks c 152
information relative to Arlington st. c 152
removal of household refuse c 157
sidewalk, Saratoga st. c 171
sidewalk, Winship st. c 171
ice for drinking fountains c 173
flags on public buildings c 173
benches, City sq. c 183
removal tree, Dorchester ave. c 222
day off for park employees c 243, 249
day off for picnics c 281
Charlestown infirmary inmates c 385
payment of wages to firemen c 506
collapse of building, East Boston c 526
resolution concerning Navy Yard c 530

remarks: election of officers c 5
ballots for president c 15
unfinished business of last year c 31
consolidations of departments c 37-39
new quarters for fireboat c 40
ballot for president c 41
change in city charter c 47, 48
extension of Arlington st. c 54, 55
payment to Mrs. Duffy c 64
taxation of trust savings c 89
Somers tax system c 95
next meeting c 115
playground, Mattapan c 143
appointment of health commissioner c 151, 152
removal of household refuse c 157
playground, Ward 5 c 164
City sq. benches c 183
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auction price, Charlestown City Hall c 202
probation officer, Roxbury c 230, 231, 255-257
appropriation for increase of firemen c 277, 278
increase in fire department force c 286
sale of land, Chestnut Hill ave. c 291
sale of Charlestown Almshouse c 321
appropriation, bath house, Charlestown c 337
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sale of almshouse property c 374, 375
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widening Union Park st. c 395
playground, Ward 19 c 415
improvements in small parks and squares c 442, 443
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rent of market cellars c 507, 508
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lodging house conditions, Brighton c 527
Navy Yard c 530, 531
garbage contract c 542
Arlington st. extension c 554
dock laborers' strike c 569
claim of Anna Robertson c 581, 583

Buckley, Timothy J., Councilor.

notice of employment as instructor in evening schools c 308

Buick Motor Company.

notice of intention to use building, Lawton st., for storage purposes c 13

Building Department.

additional appropriation: $10,000: *see* Appropriations, additional sums

Building Department, *continued.*

building limits, Hyde Park: *see* Hyde Park

collapse of building, East Boston: order that the mayor be requested to investigate reason for collapse of houses on Saratoga st., passed c 526; communication from the mayor transmitting communication from the building commissioner relative to c 534, 535–placed on file c 535

extension of building limits: order that the committee on ordinances be authorized to give a public hearing on extension of building limits, and to advertise same, passed c 249; order that order passed authorizing committee to give public hearing be rescinded, passed c 262; c 298, 299; report called for c 355, 356; order that public hearing be given, passed c 368; communication from the mayor transmitting communication from the Eastern Grocery Company relative to, referred to committee on ordinances c 402–report, discussed c 585, 588–referred to next city council c 588; communication from United Improvement Association relative to, referred to committee on ordinances c 407–report, placed on file c 585

inspection of elevators: communication from the mayor transmitting order for transfer of $1,600 from appropriation for reserve fund to appropriation for building department, referred to executive committee c 161–report, accepted, order passed c 174

investigation of department: order that special committee be appointed to investigate condition of department, discussed, referred to law department c 97; opinion of corporation counsel, placed on file c 118; communication from the mayor relative to investigation c 370, 371–placed on file c 371; communications from the mayor and building commissioner relative to, placed on file c 377; order that the mayor investigate charges of building department, as per charges of Local Union No. 175 of United Association of Journeymen Plumbers, Gas Fitters, etc., passed c 355

Building of Docks.

resolution relative to c 13

Bullard Street.

sidewalks: E. M. Mowatt, petition c 93–granted c 98; Allen W. Brown, petition c 93–granted c 98

Bumpus, Lucy E. N.

order to pay overcharge of sidewalk assessment, Harvard st., passed c 55

Bunker Hill Day. (*See* Seventeenth of June.)

Burgess, Hollis.

communication relative to yacht race c 60

Burial Grounds.

rules relating to c 46

Burke, Patrick.

order to pay widow annuity of $300, referred to executive committee c 243–report, accepted, order passed c 268–report, no action necessary c 449

Burleigh & Martin, Inc.

petition, compensation for grade damages, Berkeley st. c 372

Burlen, M. W.

notice of appointment as election commissioner c 30–notice of approval of civil service commission c 63

Burns, Ellen A.

petition, compensation for damage, Bellevue st. c 53

Burrell, T. S.

petition, compensation for personal injuries c 306

Burroughs, Mary E.

petition to be paid for coat stolen at City Hospital c 123

Burt Street.

sidewalk: T. J. Rockwell, petition c 93–granted c 99

Bushnell Street.

sidewalks: Charles W. Beal *et al.*, petition, order to construct, passed c 262; J. D. Snell, petition c 372–granted c 373

Buswell, Albert S. (*See* County of Suffolk.)

Cabot Street Baths.

smoke nuisance: order to cause discontinuance, passed c 243

Callahan, John J.

petition, compensation for expense incurred in defence of suit brought against him as police officer c 486–report, with order, accepted, passed c 526

Callender Street.

trees: order to remove trees, Nos. 87, 89, passed c 262

Calumet Grocery and Wine Company.

compensation for damages by bursting water pipe, Tremont st. c 536

Cambridge Street.

sidewalks: R. G. Jones, petition c 307–granted c 319; A. D. Mettzer, petition c 456–granted c 473

Canterbury Street.

sidewalk: Joseph Lewenburg, petition c 93–granted c 98

Capital Expenditure and Estimated Savings, Street Lighting.

c 137

Care of Public Records. (*See* Public Buildings Department.)

Carson Beach.

bathing: order that bath trustees cause beach to be kept open until 10 o'clock p. m. on such nights as the tide will serve for bathing, passed c 262

Casey, J. B.

sidewalk, Greenbrier st., petition c 372–granted c 373

Castle Island.

appropriation: taken up, indefinitely postponed c 383; opinion of corporation counsel, placed on file c 383

Cathedral Catholic Young Men's Association.

order to close streets, Union Park st. and Harrison ave., passed c 74

Catherine Street.

sidewalk: order for construction, passed c 428

Causes of Shortage of Firemen.

report, finance commission c 309

Cemetery Department.

trustee: Frederick E. Atteaux, appointed c 115–notice of approval by civil service commissioners c 150; notice from John J. Madden of his interest in contract for work done for sanitary division c 578

Dorchester North burial ground: communication from the mayor transmitting communication from the trustees with order for transfer of $9,000 from the reserve fund to a special appropriation for building wall and fence, referred to executive committee c 483–report, accepted, order passed c 508

half holiday: order to allow to all employees, referred to executive committee c 36–report, referred to cemetery trustees c 42; communication from the mayor transmitting communication from cemetery trustees, referred to executive committee c 52–report, with order, accepted, passed c 56

maintenance of cemeteries: order that the cemetery trustees report upon, referred to executive committee c 88–report, accepted, order passed c 88

projection over Granary burial ground: order that the mayor report what action has been taken in matter by corporation counsel or cemetery trustees, passed c 31; communication from the mayor transmitting communications from corporation counsel and cemetery trustees, also street commissioners, placed on file c 35

Centre Street, Ward 22.

sidewalks: Hyman Rambach, petition c 178–granted c 184; J. C. Lannon, petition c 212–granted c 223

Centre Street, Ward 24.

sidewalks: William Brummett, petition c 279; O. M. Mowatt, petition c 307–granted c 319

Centre and Wainwright Streets.

sidewalk: C. M. Durland, petition c 372–granted c 373

Chamber of Commerce.

report of committee on disposal of city garbage c 538

Changing of Fire Lines. (*See* Fire Department.)

Charlesbank.

money expended from Parkman fund: order that the park commissioners give detailed statement as to money spent under order of city council of 1910, appropriating $20,000, passed c 40; communication from the mayor transmitting communication from the park commissioners c 52, 53–placed on file c 53

Charles River.

regulating pleasure craft: *see* Metropolitan Park Commission

Charles River Basin.

tracks: preambles and resolutions relative to construction of, referred to executive committee c 282–report, accepted, passed c 284

Charles River Basin, Sewerage. (*See* Sewerage Works, Charles River Basin.)

Charles River Dam.

location: *see* West End Street Railway Company

Charles Street.

repaving: order to repave from Beacon to Cambridge sts., passed c 509

Charles Street, Ward 20.

sidewalk: C. F. Brown, petition c 118–granted c 120

Charlestown.

bath house: *see* Bath Department

branch library: *see* Library Department

courthouse: *see* Municipal Building, Charlestown

opening of sewer yard: *see* Public Works Department

playground, Ward 5: *see* Playground, Ward 5

trees in parks: *see* Public Grounds

Charlestown Almshouse.

sale: *see* Infirmary Department

Charlestown City Hall.

auction price: order that the city real estate expert report what price building would bring at auction, referred to executive committee c 201, 202–report, no action necessary c 222

Charlestown Heights.

fence: communication from the mayor transmitting order for transfer of $1,200 from reserve fund, passed c 248

Charlestown Improvement Association.

communication from association asking that sewer yard be reopened c 59; communication relative to beautifying parks and playgrounds, Charlestown, referred to committee on Parkman fund c 90

Charlestown Playgrounds.

communication from the mayor transmitting communication from the Charlestown Improvement Association requesting that portion of Parkman fund be used for beautifying parks and playgrounds, referred to committee on Parkman fund c 90; notice from Boston Elevated Railway Company of taking of land c 119

Charter.

resolution indorsing new city charter, referred to executive committee c 46–report c 46-48–adopted c 48

Chattel Loan Company.

director: John D. Marks, appointed c 93

Chauncy Street.

sidewalk: C. F. Hovey Company, petition c 279–granted c 283

Chelsea Bridge North.

appropriation: communication from the mayor transmitting order for loan of $250,000 c 251, 252–referred to committee on finance c 252–taken up, given final reading, passed c 321; communication from the mayor transmitting communication from the public works commissioner relative to construction of bridge c 402-404–referred to committee on finance c 404–report that same be placed on file c 490; communication from the mayor and commissioner of public works transmitting orders for loan and transfer to appropriation, discussed c 546, 547–given first reading and passage c 547–report, accepted, order rejected c 548–taken up, given final reading and passage c 579; communication from the mayor and commissioner of public works with order for loan of $175,000, and that balance of appropriation for Chelsea north temporary bridge be transferred to said appropriation, referred to committee on finance c 480

plans: communication from the mayor transmitting instrument from war department approving map of location and plans of bridge, placed on file c 480

Chelsea Creek.

gates at drawbridge: notice of approval of railroad commissioners c 30

Chelsea Street, Ward 3.

invalid tax deed: *see* Baker, Edmund K., or Claims

Chestnut Avenue.

roping off: order to rope off, April 19, passed c 96

sidewalk: Louis E. Buff, George O. Currier, R. W. Morville, Jr., Louis Shuman, petitions c 133–granted c 146; Andrew Dana, petition c 178–granted c 184; James W. Sutherland, petition c 178–granted c 184

Chestnut Hill Avenue.

land: communication from the park commissioners requesting authority to sell land c 253, 254–order giving authority to sell land referred to executive committee c 254–report, referred to committee on public lands c 268–report with order in new draft, accepted, discussed c 290, 291–amended, passed c 291–taken up, discussed, assigned c 375–taken up, order rejected c 394

Chestnut Hill Park.

sale of land: *see* Park Department

Cheswell, William T., Late Chief in Fire Department.

order to accept act to authorize payment of annuity to widow, referred to executive committee c 335–report, accepted, assigned c 336–taken up, passed c 352

Chicago Exhibit. (*See* Art Department.)

Children, Permits for. (*See* Licenses.)

Children in Business Section. (*See* Curfew.)

Children's Institutions Department.

trustees: Gaspare Di Cola, appointed c 71; James J. Bacigalupo, appointed c 308–confirmed by civil service commissioners c 351; Elizabeth M. Needham, appointed c 563; Caroline S. Atherton, appointed c 547–confirmed by civil service commissioners c 563

Chisholm, Alexander C.

notice of appointment as bath trustee c 351–approved by civil service commissioners c 383

Chisholm, Frank X.

order authorizing employment as secretary of city council and assistant clerk of committees at salary of $1,800 per annum, passed c 5

Church Street.

release of city's rights in land: *see* New York, New Haven & Hartford Railroad Company

City Clerk Department.

city clerk: John T. Priest, elected c 5

appropriation, additional: $1,000: *see* Appropriations, additional sums

investigation: communication from the finance commission relative to c 312-314–placed on file c 314

reprinting of ordinances: *see* Ordinances

state election: order of notice c 384

City Council.

binding of committee records: order that the clerk of committees be directed to have properly transcribed and bound the records of committees in his possession, etc., passed c 280

certificate of election: c 1

City Council, *continued.*

city documents: order to supply members of city councils of 1911 and 1912 and each head of department, with one set and Boston Public Library with usual number of sets of city documents when completed, passed c 588

inaugural exercises: c 1; Mayor Fitzgerald's address c 1-4

committees: appointed c 48

advertising, etc.: order that expense incurred be charged to city council, incidental expenses, referred to executive committee c 14–report, accepted, order passed c 15; communication from the mayor vetoing order, placed on file c 19

expense of district meetings: order that expense of stenographic report, amounting to $280, be charged to incidental expenses, referred to executive committee c 246–report, accepted, order passed c 246

expense of hearings: order that the several committees be authorized to give hearings, etc., passed c 14

incidental expenses: order that bills incurred at hearings held in high school halls be charged to incidental expenses, passed c 77

investigation of subjects: communication from the mayor relative to appointment of committees on subjects noted: branch libraries, district municipal buildings, new playgrounds, new courthouses and police stations, the need of new streets, public health and hospitals, convenience stations, laws and ordinances relating to supervision of minors, and that preliminary investigations be made, etc., referred to executive committee c 9

invitations: from Forest Hills Citizens Improvement Association to attend meeting Tuesday evening, March 7, referred to executive committee c 13–report, placed on file c 31; Men's Club of First Universalist Church, Somerville, placed on file c 31; memorial service, Faneuil Hall, communication from Mr. I. P. Gragg extending, referred to executive committee c 148–placed on file c 158; from Daniel P. Sullivan to witness a demonstration of the Cushing machine which he intends to use in contract for disposal of refuse, accepted c 238; communication from the mayor transmitting invitation from Old Guard of the Gate City Guard of Atlanta, Ga., to participate in dedication of monument, etc., referred to executive committee c 305–report, accepted, invitation accepted c 320

list of papers before executive committee, November 27: c 459

locations, wires, poles, etc.: effect of act, *see* Law Department

meetings: order that Monday of each week at three o'clock p. m. be the day and hour of meeting, passed c 7; motion to adjourn to April 17 c 115; order for next, June 13 c 203; next, June 26 c 223; next, June 28 c 250; next, July 7 c 258; adjourned to August 21 c 291; call for special c 294; adjourned to meet September 18 c 343, 344; motion to meet in two weeks, carried c 398; motion for next meeting in two weeks (November 13), carried c 431; next, discussed c 531, 532; adjourned to January 11 c 532; next c 568; call for special meeting c 545

members:
John J. Attridge
Walter Ballantyne
Timothy J. Buckley
Walter L. Collins
James M. Curley
Matthew Hale
Thomas J. Kenny
Daniel J. McDonald
Earnest E. Smith

notice of election of Walter Ballantyne, John A. Coulthurst, Thomas J. Kenny, for term of three years c 547

minutes: order to cause sufficient number to be bound and distributed, passed c 588

payment for extra services: order to allow and pay Edward McHugh and Patrick J. Lahey $200 per annum as compensation for extra services, passed c 14

payment of bills: order to allow payment of bills to Post Publishing Company for advertising, etc., passed c 46

pay rolls, etc., approval: order authorizing president to approve, etc., passed c 15

perambulation of boundary lines: order that two members of city council and commissioner of public works be appointed to perambulate boundary line, etc., passed c 335

power of investigation: opinion of corporation counsel c 118

president: motion to proceed to ballot, no choice c 15; motion to ballot, carried, no choice c 41; motion that ten ballots be taken, carried, Councilman Collins elected president c 43

printing of documents: order that expense of printing documents ordered printed be charged to appropriation for city documents, passed c 14–report, accepted, ordinance passed c 124

printing of railway leases: order to print as a city document the various leases made by the city to the Boston Elevated Railway Company, etc., passed c 222

City Council, *continued.*

question of privilege: Councilman Kenny c 119, 120; Councilman Curley, c 125, 126, 240, 241; financial condition, Councilman Kenny, c 194, 195

rules: order to adopt rules of city council of 1910, except Rule 32, etc., passed c 5; order that special committee be appointed to prepare and report draft of rules, passed c 43–committee appointed c 43–report c 44-46–accepted, rules adopted, ordered printed c 46; committee appointed c 48; order that the rules be amended by striking out Rule 24, discussed c 387, 388–rejected c 388

secretary: order for employment of Frank X. Chisholm at salary of $1,800 per annum, passed c 5

standing committees: appropriations, executive, finance, ordinances, prisons, claims, county accounts, legislative matters, printing, public lands, rules, soldiers' relief

statement of contingent expenses: (City Document No. 69) c 123

unfinished business: order to resume, passed c 7; order that all matters of an unfinished nature be referred to city council of 1912, passed c 588

closing proceedings: resolution thanking President Walter L. Collins c 591-593–adopted c 593; adjourned *sine die* c 593; order to print as a city document and to have copies printed containing group pictures of members, etc., passed c 590

City Debt.

communication from mayor c 3; report of finance commission addressed to the honorable the Senate and House of Representatives relating to city debt c 26-30–placed on file c 30

City Documents, Printing of. (*See* Printing Department.)

City Election.

notice of c 507

City Employees. (*See, also,* Laborers.)

Columbus Day Parade: order to grant leave of absence to employees wishing to attend parade, passed c 375

day off for picnics: *see* Picnics, Day off for

half holiday, Evacuation Day: *see* Evacuation Day

payment to Mrs. Duffy: order that under authority of chapter 92, Acts of 1911, the sum of $350 be paid to widow of Charles Duffy, who died from injuries received while in city employ, passed c 64

retirement of city laborers: preamble and resolution and order favoring act, discussed c 55, 56–referred to executive committee c 56–report, accepted, passed c 56

retirement of city employees: report, placed on file c 450 (c)

vacation for Spanish War veterans: order to grant a vacation without loss of pay to all employees who wish to attend encampment, passed c 263

vacation for veterans: order to allow, passed c 214

vacation for veterans, Civil War: order to allow vacation to attend encampment G. A. R., passed c 214

City Government of 1909.

order that the expense attending the reproduction of mayor and board of aldermen of 1909 be charged to incidental expenses, passed c 559

City Hall.

elevators, running of: order that superintendent of public buildings cause elevators to run as formerly, etc., passed c 203

vault and furnishings: report, no further action necessary c 418

City Hall Annex.

communication from the mayor transmitting order for an appropriation of $800,000, to be expended by superintendent of public buildings, for the erection of an annex on present site of Old Court House, referred to committee on finance c 6–report, accepted, assigned c 74–taken up, referred to finance commission c 87–taken up, referred to executive committee c 96; communication from finance commission relative to c 94, 95–referred to executive committee c 95–report, accepted, order passed c 107; order that public competition be invited in the preparation of plans and specifications, adopted c 107

City Hall, New.

communication from the mayor transmitting communication from George H. Ingraham relating to a plan which he has made for new City Hall on property occupied by Natural History Rooms and Massachusetts Institute of Technology, referred to committee on appropriations c 69–placed on file c 110

City Insurance Fund.

order that the corporation counsel give an opinion as to whether the city may set aside a yearly appropriation as an insurance fund against loss of public buildings by fire, etc., passed c 125–opinion of corporation counsel relative to c 135–report placed on file c 222

City Laborers. (*See* Laborers.)

City Lighting.

order that communication from the finance commission to the mayor and city council and orders and remarks of members of city council relative to city lighting be printed as a public document, passed c 73

City Messenger.

city messenger: order authorizing employment of Edward J. Leary at a salary of $2,500 per annum, passed c 5

assistant city messenger: order authorizing employment of Charles E. Silloway as secretary and assistant city messenger at a salary of $1,800, passed c 5

assistant: order to employ Frederick J. Glenn, taken up, referred to executive committee c 14–report and order that Frederick J. Glenn be employed, salary fixed, discussed, accepted, passed c 107; communication from the civil service relative to, referred to executive committee c 135–report, referred to special committee c 146; communication from the civil service commissioners relative to, placed on file c 163

display of flags: order to cause display on holidays in schedule (given), passed c 14

election returns: order that city messenger make arrangements for receiving election returns, passed c 429

roping off of streets: order to authorize necessary roping off of streets, passed c 55

roping off of streets, Evacuation Day: order authorizing, passed c 31

City Mortuaries, Care of (*See* Mortuaries, *also* Hospital Department.)

City Planning Exhibit.

conference: order for appointment of committee to determine what can be offered in the way of entertainment, etc., and report results, passed c 539–committee appointed c 556–referred to executive committee c 556–report, recommending reference to next government c 568

exhibit: communication from the mayor transmitting letter of W. Templeton Johnson, secretary to the mayor of Philadelphia, relative to exhibit; order for an appropriation of $1,500, to be expended by art commission, referred to executive committee c 58–report, accepted, order passed c 66

next session: communication from the mayor transmitting communication from the secretary of Boston-1915 requesting that invitation be sent directors of City Planning Conference to be held in Philadelphia to hold next session in Boston c 161, 162–referred to executive committee c 162; order that the mayor be requested to extend an invitation for holding of conference for year 1912 in the city of Boston, discussed c 183, 184–assigned c 184, 202–taken up, passed c 220

planning commission: ordinance establishing c 220, 221–referred to committee on ordinances c 221–placed on file c 222

City Property, Value of. (*See* Statistics Department.)

City Real Estate. (*See* Statistics Department.)

City Refuse, Disposal of. (*See* Garbage, Disposal of.)

City Square, Charlestown.

seats: order that superintendent of public grounds be requested to place benches in former locations, passed c 183

City and County Funded Debt.

City of Boston, Development of.

order that the finance commission be requested to prepare and submit to the present city council a plan for the development and advancement of the city from date to January 1, 1920, along certain lines (given) c 63, 64–referred to executive committee c 64–report, accepted, order passed c 65

Claims.

committee: appointed o 48

losses of firemen in fire of August 9, 1910: *see* Fire Department

claims:

list of all claims upon which action has been taken during 1911, ordered printed as a city document c 580

ADAMS, CAROLINE H.: petition, compensation personal injuries c 149

ALDEN, JOHN W.: petition to be paid for loss of wagon destroyed by fire ladder c 515

ALLGAIER, ANDREW: petition for salary lost on account of injuries while in city employ c 456

AMERICAN STEAM DYE WORKS: petition, compensation for damages by sewer overflow c 372

BAKER, EDMUND K.: petition, offering to surrender invalid tax deed of estates, Chelsea and Bowen sts. c 191–given leave to withdraw c 243

BAKER, H. J., DR.: petition, compensation for damages by spraying Columbia rd. c 260

BARRETT, WILLIAM J.: petition, compensation for injuries received while in employ of public grounds department c 12

BARRY, JOHN: petition, compensation for stopping of drain, Shirley st. c 86

BATTS, THOMAS H.: petition, compensation for damages to property, Dorchester st. c 333

BAY STATE HARDWARE COMPANY: petition, compensation for damages caused by broken water pipe c 563

BEACH, J. F., MRS.: petition, compensation for damages to clothing c 380

BELL, S.: petition, compensation for personal injuries c 35

BLACK, ABRAHAM; petition to be paid expenses incurred on account of injuries to wife c 333

BLAKE, EDWARD F.: petition, compensation for damages to fence c 407

BLOCK, M., MRS.: petition, compensation personal injuries c 456

BOLES, THOMAS J.: petition, compensation for damages by stoppage of drain, Mayfield st. c 364

BOLLE, GEORGE: petition, compensation for damages to land, West Selden st. c 547

BOSTON EXPRESS EXCHANGE: petition to be refunded licenses c 334

BOSWORTH, GEORGE N.: petition, compensation for damage, Tremont st., by bursting water main c 536

BRADBURY, ANNIE E.: petition, compensation for damages to property, Harvest st. c 12

BRADY, HANNAH A., MRS.: petition, compensation for damages to property, Wakullah st. c 364

BREEN, WILLIAM H.: petition, compensation for damage to property, City sq. c 307

BRENNAN, EDWARD F.: petition to be reimbursed expense of suit brought against him as police officer c 237–report, with order, accepted, passed c 490

BROWN, EDWARD: petition, compensation for injuries to daughter c 86; petition for hearing on claim for injuries to daughter c 118

BROWN, H. H.: petition to be paid expense incurred on account of injuries to wife c 485

BURLEIGH & MARTIN, INC.: petition, compensation, grade damages, Berkeley st. c 372

BURNS, ELLEN A.: petition, compensation for damage, Bellevue st. c 53

BURRELL, I. S.: petition, compensation personal injuries c 306

BURROUGHS, MARY E.: petition to be paid for coat stolen at City Hospital c 123

CALLAHAN, JOHN J.: petition, compensation for expense of suit brought against him as police officer c 486–report, with order, accepted, passed c 526

CALUMET GROCERY AND WINE COMPANY: compensation for damages by bursting water pipe, Tremont st. c 536

CHANNELL, ERNEST: petition of Francis Juggins for a hearing on claim for personal injuries by workmen of city c 443

CLINTON, LAURENCE C.: petition, compensation for damages to tip-cart c 237

Claims, *continued.*

COGAN, NELLIE: petition, compensation personal injuries c 456

COHEN, BENJAMIN: petition to be paid balance due on account of permit to occupy portion of street c 212

COHEN, JOSEPH: petition to be paid damages caused by water c 212

COLLINS, ANNA M.: petition for hearing on claim for personal injuries c 53

COLLINS, JAMES J.: petition to be paid for a horse injured on ferry-boat c 133

COLLINS, T. J., FURNITURE COMPANY: petition, compensation damages, Portland st. c 307

COLMES, J. A.: petition to be paid for clothing damaged by fire c 53

COLUMBIA AMUSEMENT COMPANY: petition to be refunded amount of water bills paid under protest c 380

CONNON, MARY T.: petition, compensation for damages by sewer, Wakullah st. c 380

CONNELL, JOSEPH L.: petition, compensation for injuries to horse c 237

COYNE, NORA, MRS.: petition, compensation for illness and death of her husband while in city employ c 30

CRAWFORD, DAVID E.: compensation for damages to property, Tremont st., by overflow of sewer c 12

CROSSEN, HUGH: petition to be paid for loss on account of injuries received while at work for city c 306

CROWLEY, JOHN D.: petition to be paid damages to wagon c 63

CROWLEY, MICHAEL J.: petition for balances remaining from estate, Malcolm st. c 212

CUMMINGS, EDWARD: petition, compensation for damages, Champney st. c 407

CUMMINGS, MARY: petition, compensation for personal injuries c 333

CUNOHAN, T. J.: petition, compensation for damages to property, Stanwood st. c. 307

CUSHMAN, JULIA, MRS.: petition for hearing on claim c 407

DACEY, TIMOTHY J.: petition for hearing on claim for damages c 71

DALY, MARGARET E.: petition, compensation for injuries caused by fall c 118

DAVENPORT, AVILA E.: petition, compensation for damages to clothing c 334

DAVIS, ABBIE: petition to be paid for injuries caused by fall, Audubon rd. c 12

DAVIS, GERTRUDE: petition, compensation for damages caused by shutting off water c 485

DESMOND, CORNELIUS J.: petition for hearing relative to edgestone assessment, Corbet st. c 12

DEVLIN, JOHN: petition, compensation for injuries received while in employ of city c 380

DEXTER BROTHERS COMPANY: petition, compensation for damages by bursting water pipe, Broad st. c 547

DILLON, W. D.: petition to be paid for injuries to horse c 30

DI NAPOLI, PASQUALE: petition, compensation for damages to horse by falling into catch-basin c 212

DINSFRIENN, M.: petition, compensation for damage to wagon, East Boston Ferry, c 547

DODGE, ELIZABETH A.: petition, compensation for personal injuries, F st. c 443

DONGE, J. E., MRS.: petition, compensation for damages, Ringgold st. c 363

DOHERTY, JAMES: petition, compensation for injuries received while in city employ c 35

DOLAN, PATRICK A.: petition to be paid for loss of time on account of injuries received while at work for city c 306

DONAHOE, MARY A.: petition to be paid damages to estate, M st. c 307

DORR, ALVIN D.: petition, compensation for damages to estate, Weld Hill st. c 334

DORSEY, JOHN M.: petition for personal injuries c 86

DOVE, H. C., MRS.: petition, compensation for damages to clothing c 279

DOWNEY, MARGARET M.: petition, compensation for injuries caused by city automobile c 485

DOYLE, M., & CO.: petition, compensation for damage to horse by defective manhole c 178

DUFFY, JOHN F.: petition, compensation personal injuries c 334

DUFFY, MAURICE A.: petition, compensation for damages to automobile c 372

DUSTIN, CHARLES: petition, compensation for damages to daughter's dress c 237

EARLE, DANIEL C.: petition, compensation for injuries c 86; petition for hearing on compensation for injuries caused by city automobile c 133

EASTERN FLOUR COMPANY: petition, compensation for damages to team c 118

Claims, *continued.*

EHRLICH, SALLY H.: petition, compensation for wall demolished by city wagon c 380

ELLIS, CHARLES T.: petition, compensation for damages by change of grade c 237

ELLSWORTH, GEORGE L.: petition to be paid for services in examination of title, Bowen st. c 118

EMERSON, MARY C., MRS.: petition, compensation on account of obstruction of sewer, Lorraine st. c 12

ENGEWALD, CHARLES F.: petition to be paid damages by overflow of sewer c 372

ENOS, ELIZABETH: petition, compensation for damage to fence, Melville ave. c 351

ERICKSON, A. W.: petition, compensation for damages to drain, Marshall st. c 118

FERNALD & CO.: petition for hearing on claim for damages to wagon, East Boston Ferries c 133

FERRIS, ELLA: petition for hearing on claim for injuries c 485

FINNEGAN, SARAH M.: petition, compensation for damages by leaking water pipe c 380

FOLEY, MARK: petition, compensation personal injuries by schoolhouse gate c 456

FOREST HILLS STORAGE WAREHOUSE COMPANY: petition, compensation for damages to property by sewer c 307

FOSTER, SADIE: petition, compensation for damages, Cherokee st. c 212

FREIDBERG, ALBERT: petition, compensation personal injuries c 306

GANNON, ANNIE: petition, compensation personal injuries c 577

GARRITY, JOHN: petition, compensation personal injuries c 407

GEYER, HORACE A.: petition, compensation for damages caused by defective drain, Sutton st. c 443

GINSBURG, ANNIE: petition to be paid for plate glass window broken by member of fire department c 515

GOLDBERG, CHARLES: petition, compensation for damages, Lauriat ave., by sewer c 279

GOLDBERG, C. & A. J.: petition, compensation for damages, Lauriat ave. c 307

GOLDSMITH, G. O., MRS.: petition, compensation for coat torn on barrel e 93

GOLDSTEIN, ABRAHAM: petition, compensation for damages to team c 162

GOODWIN, EMMA J.: petition, compensation personal injuries e 306

GRAZIANO, EMELIA: petition, compensation for damages by bursting sewer, Hale st. c 443

GREEN, J. RUSH: petition to be repaid expense incurred on account of stoppage of sewer, Arlington ave. c 407

GRIFFIN, FRANK A., *trustee:* petition, compensation for damages, Woodlawn st. c 307

GRIGGS, HERBERT H.: petition, compensation for damages caused by bursting water pipe, Ball st. c 191

GUINEY, DENNIS J., JR.: petition to be paid grade damages, Jenkins st. c 333

GULESIAN, M. H.: petition, compensation for breaking of glass by city wagon c 443

HAHN, ELIZA: petition to be paid for damages to roof c 564

HAMM, J. R.: *see* Hamm, J. R.

HART, SARAH, MRS.: petition, compensation for damages to property by breaking of sewer, Cedar st. c 260

HAUB, HATTIE D. F.: petition to be paid for clothing torn in parkway c 514

HEALY, DANIEL A.: petition, compensation for damages to clothing by projection from a pole, Elm st. c 443

HEATH, WILLIAM S.: petition to be refunded balance due on account of water pipe, Chestnut Hill ave. c 212

HEMENWAY, AUGUSTUS, JR.: petition, compensation for damages to automobile c 577

HICKEY, CHARLES J.: petition, compensation for personal injuries c 456

HINES, LUKE: petition to be paid for extra work c 333

HOBBS, SAMUEL: petition, compensation for damages to automobile by city cart c 12

HOEY, HELEN A.: petition for hearing on claim c 212

HOLBROOK, W. H.: petition to be paid for damages to automobile by fire apparatus c 191

HOLLANDER, WILLIAM F.: petition, compensation for damages to clothing of child c 363

HUDSON, MILDRED: petition, compensation for personal injuries c 380

HUGHES, MICHAEL J.: petition, compensation for personal injuries c 123

HUMPHREY, LAURA S.: petition for hearing on claim c 485

HURD, LIZZIE C.: *see* Claims, Spence, H. G., *et al.*

INTERNATIONAL CLUB OF BOSTON: petition, compensation, damages by sewage, Dudley st. c 333

Claims, *continued.*

JENNINGS, THEODORE: petition, compensation for injuries caused by defect in sidewalk c 191

JOHNSON, HANNAH: petition to be paid for damages to clothing c 306

JOSEPH, JOHN: petition to be paid damages caused by city team c 486

JUDGE, CATHERINE: petition, compensation for bursting water main, Chapman st. c 547

KANE, FRANK J.: petition, compensation for injuries received while in discharge of duties, sanitary division c 279

KEARNS, PATRICK: petition, compensation for death of son by negligence of city c 380

KELLEY, WALTER H., *et al.:* petition for payment to Anne M. Kelley, balance remaining from tax sale of estate c 407

KEMP, MARGARET A.: petition, compensation for injuries, Tremont st. c 191

KENNEY, JOHN H.: petition, compensation for damages to team c 306

KENNEY, JOHN J.: petition to be paid damage to clothing by city receptacle c 118

KERNISH, JACOB: petition for hearing on claim c 133

KIDNEY, CHARLES J.: petition to be paid for glass broken by boys c 456

KIERNAN, TERESA A.: petition to be paid for damages to clothing c 63

KILDAY, JOHN: petition to be paid for loss of clothing c 44

KLUEBER, TOBIAS: petition to be paid for damages to estate, Chestnut ave. c 252

LAFFERTY, GRACE: petition, compensation personal injuries c 564

LA MARCA, G.: petition, compensation for damage, Prince st. c 279

LANARD, G. H.: petition, compensation personal injuries c 536

LE BARON, A. C.: petition, compensation for injuries to horse, Stanhope st. c 547

LE GUINER, JEANNE: petition for hearing on claim on account of injuries received c 162

LEONARD, FRANK M., *et al.:* petition, compensation for damages by overflow, Union ave. c 364

LEVY, SARAH: petition for hearing on claims c 93

LEWIS, CHARLES J.: petition for hearing on claim for injuries by a city automobile c 178

LITTLEFIELD, A. W.: petition for hearing on claim for injuries c 486

LOANES, JAMES S.: petition, compensation for injuries to horse c 12

LONICH, R.: petition, compensation personal injuries c 407

LORD & WEBSTER COMPANY: petition, compensation for damage to horse, Commercial st. c 364

LYNCH, HANNAH, MRS.: petition, compensation for damages by water pipe, Havre st. c 12

LYNCH, JAMES: petition, compensation personal injuries c 407

MACKINNON, HELEN: petition, compensation for hearing on claim for injuries, Huntington ave. c 536

MACLEAN, WREN, MRS.: petition, compensation for damages to skirt c 93

MAGEE, CATHERINE: petition to be paid wages due son who died from injuries received while in city employ c 162

MAGEE, ELLA E.: petition for hearing on claim for damage to clothing c 163

MAGUIRE, JANE: petition for hearing on claim c 252

MALONEY, LENA, *et al.:* petition, compensation for sickness caused by overflow of sewer c 456

MALONEY, THOMAS F.: petition, compensation for damages, Cedar st. c 279

MARIA, GABRIEL S.: petition to be paid for damages, Webster st., by overflow of sewage c 364

MARPLE, MRS.: petition, compensation personal injuries c 306

MCCARTHY, MARY A.: petition, compensation for personal injuries c 86

MCCARTHY & WALSH: petition to be paid extra expense of carrying out contract made with city c 53

MCCORDICK, JOHN A., *et al., executor:* petition to be paid damages to estate, Middle st. c 485

MCCRAITH, E., MRS.: petition, compensation for damages by sewer overflow, Cobden st. c 372

MCDERMOTT, NELLIE A.: petition, compensation for damage to clothing by wire, corner C and East Fifth sts. c 163

MCDONOUGH, THOMAS: petition, compensation for injuries from falling limb of tree c 333

MCGETTRICK, ANDREW F., ESTATE: petition, compensation for damages to estate, Cabot st. c 93

MCGRANY, J. H., ESTATE: petition, compensation for damages to estate, Quincy st. c 557

MCISAAC, DANIEL V.: petition, compensation for damages to estate, Middle st. c 485

MCISAAC, MARY E., *et al.:* petition, compensation for damages to estate, Dorchester st. c 333

MCKENNA, ALEXANDER and MARY: petition, compensation grade damages, Champney st. c 407

Claims, *continued.*

McKenney & Waterbury Co.: petition to be paid damages for broken water main c 485

McMahon, John: petition, compensation for injuries received by kick from city horse c 178

McNamara, Walter: petition, compensation personal injuries c 564

McNamara, Wm. H.: petition, compensation for damage to clothing of minor child c 443

Meroth, Rose: petition to be paid for coat torn in playground c 44

Metropolitan Coal Company: petition to be paid amount deducted for alleged shortage of coal delivered penal institutions department c 71

Michienzi, Amedeo: petition to be paid for damage to coat c 12

Milligan, James: petition, compensation for damages to horse c 35

Mills, Kathryn: petition to be paid damages to clothing by mud and oil c 351

Mills, O. B.: petition, compensation for damages, Burrell st. c 334

Minot, Laurence: petition to be paid expense incurred on account of stoppage of main sewer, Noanet st. c 191

Monahan & Lark: petition for hearing on claim c 30

Mulry, M. A.: petition, compensation for loss of parasol c 334

Murphy, Anna J.: petition, compensation damages to suit c 212

Murphy Brothers Company: petition to be paid for damage to team c 30

Murphy, H. B. and A. C.: petition to be refunded amount paid as sewer entrance fee, Broadway c 536

Murphy, Michael: petition, compensation for injuries received while in employ of city c 563

Murray, John: petition to be paid for windows, Marcella st. c 486

Murray, John E.: petition, compensation for damages by sewer, Albany st. c 547

Murray, Patrick: petition, compensation personal injuries while employed by city c 443

New Englann Confectionery Company: petition, compensation for damages, Melcher st. c 485

Nixon, Robert G.: petition for hearing on claim on account of injuries, Chambers st. c 133

Nolan, Michael: petition for hearing on claim c 114

Norton, Kate: petition, compensation for damage to estate by overflow of Stony brook c 211

Oak Grove Farm Creamery Company: petition, compensation for damages to wagon and merchandise by fire engine c 485

O'Brien, Agnes: petition, compensation for damages, Webster st. c 333

O'Brien, Joseph L. Mrs.: petition, compensation for damages by overflow of sewer, Lauriat ave. c 372

O'Connell, Ella: petition, compensation for damage to clothing by oil c 443

O'Connell, Mary: petition for hearing on claim for injuries c 307

O'Donnell, James: petition, compensation for personal injuries c 123

O'Neil, Dennis A.: petition, compensation for injuries to horse c 35

O'Rourke, John: granted c 580

Perlmuter, Louis: petition, compensation for damages, Bennington st. c 485

Perkins, Lorenzo D.: report and order to pay $500 for expenses of suit brought against him while employed at House of Correction, accepted, assigned c 179–taken up, passed c 202

Phalen, Joseph, Mrs.: petition, compensation for injuries by fire apparatus c 212

Poole, Nellie M.: petition for hearing on claim c 86

Posner, A.: petition, compensation for injuries to daughter by city cart c 12

Potter, Mrs.: petition, compensation for personal injuries c 237

Prezinso, Vincent, & Co.: petition, compensation for damages, Prince st., by city employees c 191

Randolph, Jane L.: petition, compensation personal injuries c 237

Reardon, Mary A.: petition, compensation for damages occasioned by construction of street c 44

Richenburg, Philip: petition to be paid for clothing sprayed with oil c 162

Riley, James: petition, compensation for damage to property, Webster st. c 334

Riley, Patrick H.: petition, compensation for damages by leak in water pipe c 514

Robertson, Anna: communication from the mayor and fire commissioner relative to injuries received by automobile accident, referred to committee on claims c 562–report, with order, accepted, discussed c 581–584–passed c 584

Robinson, William W.: petition, compensation personal injuries c 237

Rosenbloom, Bessie: petition for hearing on claim c 133

Claims, *continued.*

Rourke, John H.: *see* Rourke, John H., or North Harvard Street

Ryan, Catherine: petition, compensation for damage to property, Dorchester ave. c 260

Ryan, Catherine, Mrs.: petition, compensation damages, Dorchester ave. c 364

Ryan, Catherine D.: petition, compensation for damage to property, L st. c 212

Ryan, Daniel J.: petition to be paid for sign c 536

Ryan, John W.: petition, compensation for damages, Jenkins st. c 351

St. Stephen's Church: petition to be repaid amount of repairs on clock c 306

Scali, Guiseppi: petition, compensation for damages, Salem st. c 260

Sheehan, Bridget: petition, compensation for damages caused by breaking of water pipes, Moore st. c 547

Sheinwaln Shoe Company: petition to be refunded amount paid for permit to display advertising devices c 485

Singer, Sigmunn: petition, compensation for damage by overflow of water, Mayo pl. c 307

Slattery Estate: petition to be paid damages on account of defective sewer, Prince st. c 191

Smith, Benjamin W., Jr.: petition, compensation for injuries c 334

Smith Brothers: petition, compensation for injuries to horse c 307; petition to be paid for injuries to horse c 407

Snyner, Sarah: petition, compensation personal injuries c 351

Solomont, Toners: petition, compensation personal injuries c 351

Spektosky, Hyman: petition, compensation for damages by blocking sewer, Salutation st. c 133

Spence, H. G., *et al.:* report on petition for grade damages, Crafts st., referred to street commissioners c 115

Still, George, Mrs.: petition, compensation for damages to property by leak in water pipe, Cunard st. c 443

Sullivan, Daniel J.: petition, compensation for injuries by team of street department c 456

Swift, Anelaine E.: petition that city pay expense of connecting old sewer, Shawmut ave. c 486

Tobin, Stephen J.: petition, compensation for damage to automobile by fire apparatus c 456

Towle, Mary J.: petition, compensation damages, Conway st. c 333

Traiger, H. L.: petition for hearing on claim for personal injuries c 456

Trainor, Anna V.: petition for hearing on claim for damages c 407

Walsh, Richarn H.: petition, compensation personal injuries c 334

Ware, Mary L.: petition, compensation for damage to drain, West st. c 260

Watson, Paul B., *et al.:* petition to be paid interest and costs on amount awarded them in abatement of taxes c 212

Wellington-Wild Coal Company: petition to be paid for damages to team, Merchants row c 563

Wilcox, W. J., *et al., trustees:* report with order for settlement of claim, accepted, passed c 449

Welsh, Willarn: petition, offering to surrender alleged invalid tax deed, Winship st. c 363

Welton, Flora, *et al.:* petition, compensation for damages caused by bursting of fire department hose c 363

White, Aaron: petition, compensation for damage, Blue Hill ave. c 364

Whitney, William: petition, compensation personal injuries c 372

Yeaton, Helen F.: petition, compensation, personal injuries c 306

Yont, Alonzo E.: petition, compensation for damage by stoppage of sewer, Faxon st. c 443

Clark, H. S.

sidewalk, Dorchester ave., petition c 334–granted c 336

Clark, N.

sidewalk, Torrey st., petition c 334–granted c 336

Clark, Robert F.

appointed director for the Collateral Loan Company c 93

Clark and North Streets.

sidewalks: Real Estate Trust Company, petition c 307–granted c 319

Clerk of Committees.

clerk of committees: order authorizing employment of John F. Dever at salary of $2,500, passed c 5

assistant clerk of committees: order authorizing employment of Frank X. Chisholm, passed c 5

binding, etc., of committee records: order that the clerk of committees be directed to have transcribed and bound such records as have not been done as yet, and that same be charged to incidental expenses, passed c 280

Clerk Hire, Registry of Deeds. (*See* County of Suffolk.)

Clerks and Employees Above Grade of Clerks.

c 381

Cleveland Circle, Ward 25.

lights: order to place additional lights, passed c 449

Clifford Street, West Roxbury.

footbridge: report, no further action necessary c 418

Clinton, Laurence C.

petition, compensation for damages to tipcart c 237

Closing Proceedings of the City Council. (*See* City Council.)

Closing of Streets.

arrival of the cardinal: order that certain streets be closed February 1, in connection with arrival of his Eminence Cardinal O'Connell, passed c 557

Labor Day parade: order to close during parade c 315, 316

Coal Holes, Fees for Permits. (*See* Ordinances.)

Coal Weighers.

Joseph F. Armhein *et al.*, appointed c 5–confirmed c 14; William J. Doyle *et al.*, appointed c 8–confirmed c 31; Charles S. Mansfield, appointed c 17–confirmed e 35; Neil Macdonald, appointed c 57–confirmed c 73; E. A. Shaw, appointed c 68–confirmed c 87; Maynard F. Moseley, John D. Smith, appointed c 81–confirmed c 95; George B. Sullivan, appointed c 122–confirmed c 141; Josiah M. Rankin, appointed c 122; Miss Wallen *et al.*, appointed c 148–confirmed c 164; William A. Tryder, appointed e 148–confirmed c 164; George E. Dalrymple *et al.*, appointed c 130–confirmed c 150; Frank Stiles, appointed c 130–granted c 150; Chester A. Bailey *et al.*, appointed c 159–confirmed c 179; William J. Doyle *et al.*, appointed c 175–confirmed c 194; B. Frank Hooton *et al.*, appointed c 187–confirmed c 213; Charles H. Gelpke, A. J. Tighe, appointed c 204–confirmed c 238; C. B. McMackin, appointed c 227–confirmed c 261; Walter N. Fogarty, F. C. Powell, Henry H. Watters, Fred Kitson, W. A. Podolski, W. H. Drake, William L. Woods, appointed c 294–confirmed c 338; Olaf Benson *et al.*, appointed c 358–confirmed c 374; John Connors *et al.*, appointed c 348–confirmed c 364; Francis X. Malley, appointed c 377–confirmed c 414; Raymond C. Dinsmore, appointed c 370–confirmed c 383; T. C. Crosson, appointed c 433; Clarence E. Doane, P. J. Ryan, appointed c 433; Joseph W. Cook *et al.*, appointed c 453; Albert L. Jefts, Thomas H. Mathews, Frank M. Nichols, appointed c 478–confirmed c 525; Joseph W. Cook, confirmed c 489; Etta Alpert *et al.*, confirmed c 489; A. Bertocchi *et al.*, appointed c 512–confirmed c 539; Charles H. Hartley, appointed c 545–confirmed c 564; Edward S. Putman *et al.*, appointed c 534–confirmed c 548; Zuleta Gibbon, appointed c 534–confirmed c 548

Coal and Coke Licenses.

copies of coal and coke licenses granted by the secretary of the commonwealth c 12, 53, 63, 71, 94, 114, 150, 178, 212, 237, 261, 279, 307, 351, 364, 373, 383, 407, 443, 457, 486, 515, 536, 563, 578

Cochituate Water Department.

c 3

Cogan, Nellie.

petition, compensation personal injuries c 456

Cohen, Benjamin.

petition to be paid balance due on account of permit to occupy portion of street c 212

Cohen, Joseph.

petition to be paid damages caused by being struck by muddy water c 212

Cole, Charles H.

notice of appointment as fire commissioner c 563

Collapse of Building, East Boston. (*See* Building Department.)

Collateral Loan Company.

director: Robert F. Clark, appointed c 93

Collecting Department.

cancelation of accounts: communication from the mayor transmitting order to cancel balances for money due on accounts payable for board of patients at Boston Insane Hospital, referred to executive committee c 565–report, accepted, order passed c 590

civil service bill: resolution favoring house bills Nos. 599 and 1058, referred to executive committee c 564–report, accepted, resolve rejected c 590

return of overcharge of fee to licensing board: *see* Licensing Board

Collins, Anna M.

petition for hearing on claim for personal injuries c 53

Collins, James J.

petition to be paid for a horse injured on ferryboat c 133

Collins, T. J., Furniture Company.

petition, compensation for damage, Portland st. c 307

Collins, Walter L., Councilman.

appointed: committee on redivision of Ward 20 c 13; committee on rules c 43, 48; committee on Parkman fund c 88; committee on perambulation of boundary lines c 445

elected: president of the city council c 43; manager of Old South Association c 54

orders offered: election of city messenger e 5
redivision of Ward 20 c 13
sidewalk, Spencer st. c 13
expenditure of Parkman fund c 46
payment of petty bills c 46
roping off of streets c 55
payment of overcharge, sidewalk assessment c 55
sidewalk, Harvard st. c 55
visit of committee to Norfolk st. c 73
sidewalk, Hall st. c 77
expenses of hearing c 77
sidewalk, Millet st. e 87
transfer of land, Blue Hill ave. and Seaver st. c 87
sidewalk, Harvard and Park sts. c 96
sidewalk, Weld Hill st. c 96
sidewalk, Newhall st. c 115
sidewalk, Roxbury st. c 115
sidewalk, Williams st. c 115
acceptance of Harvard ave. c 119
sidewalk, Hewins st. c 120
improvements, Thane, School and Harvard sts., also Glenway st.c 143
sidewalk, Ocean st. c 171
public landing, Walnut st. c 171
improvement, Neponset playground c 174
annuity to widow of Michael J. Coyne c 194
sidewalk, Gaylord st. c 202
elevator service, City Hall c 203
sidewalk, Minot and Bradshaw sts. and Thetford ave. c 214
removal tree, Pleasant st. c 222
thanks to Aviator Atwood c 223

Collins, Walter L., Councilman, *continued.*

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exemption of board of appeal, civil service commissioners c 241
closing North Harvard st. c 244
sidewalk, Bushnell st. c 262
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sidewalk, Auckland st. c 319
sidewalk, Sedgwick st. c 319
sidewalk, Talbot ave. c 319
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sidewalk, St. Williams st. c 335
Norfolk st. widening c 345
Faneuil st. widening c 345
sidewalks, Ashmont st. and Williams st. c 355
sidewalk, Olney st. c 428
appropriation for Supreme Judicial Court c 509
laying out Southern ave. c 526
extension of Holton st. c 526
reference of garbage papers c 537
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remarks: election of officers c 5
redivision of Ward 20 c 36
consolidation of departments c 38
question of information c 41
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probation officer, Roxbury c 255, 256
appropriation for increase of firemen c 275, 276, 278
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appropriation for highways c 318
highway appropriations c 338
Norfolk st. widening c 345
widening Faneuil st. c 345
widening Union Park st. c 397, 417
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widening Norfolk st. c 421, 422
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County Expenses, Apportionment of.

communication from the mayor requesting the appointment of a commission to consider and report upon an adjustment and apportionment of expenses of the county that should be borne by Revere, Winthrop and Chelsea, etc.; order requesting corporation counsel to apply to the Supreme Judicial Court for appointment of said commission, referred to executive committee c 433–report, accepted, order passed c 450

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additional allowance for clerical assistance: communication from John P. Manning requesting $1,500, referred to committee on county accounts c 408–report, accepted, order passed c 465; communication from the mayor transmitting order for an appropriation of $1,500, referred to committee on county accounts c 456–report, accepted, order passed c 465

appointment of probation officer: communication from Fred C. Ingalls, clerk, relative to appointment of Frank E. Hawkes, referred to committee on county accounts c 525–report, with order, accepted, passed c 584

appropriation, Superior Civil Court: communication from the mayor and clerk of said court requesting appropriation of $3,000, referred to committee on county accounts c 441

appropriation for Supreme Judicial Court: order that an allowance of $750 be allowed, passed c 509

clerical assistance: order to allow and pay expenditures for clerical assistance in Superior Court, Civil Session, $35,000; Superior Court, Criminal Session, $15,000; Register of Probate and Insolvency, $15,500; Supreme Judicial Court, $9,000; referred to executive committee c 152

clerical assistance, Superior Civil Court: report, with order, accepted, passed c 465; communication from the mayor transmitting order for an appropriation of $3,000, referred to committee on county accounts c 456–report, accepted, order passed c 465

clerk hire, registry of deeds: statement of persons employed in office during January and February, referred to executive committee c 30–report, accepted, pay roll approved c 31; list of employees, referred to committee on county accounts c 73–report, accepted, pay roll approved c 77; statement for March, referred to committee on county accounts c 123–report, accepted, approved c 125; April 24 to May 22, referred to committee on county accounts c 178–report, accepted,

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county officers' bonds: order that the several officers required to give bond are authorized to deliver a bond satisfactory to the mayor with an incorporated surety company as surety, etc., referred to executive committee c 559–report, accepted, order passed c 568; communication from the mayor vetoing order c 571–placed on file c 571

court officer Nason: communication from the mayor and A. N. Williams, justice of the municipal court, Roxbury district, submitting application for retirement; order for retirement, referred to committee on county accounts c 512–report, with order for retirement, accepted, passed c 543

hot water in courthouse: communication from the mayor requesting $1,250 for installation of hot water apparatus on fifth floor, and $400 for similar installation on fourth floor, referred to executive committee c 175–report, no action necessary c 222; communication from the mayor transmitting order transferring $1,250 from the reserve fund to county buildings for hot water apparatus in registry of deeds, referred to executive committee c 208, 209–report, accepted, order passed c 222; communication from the mayor transmitting communication from the librarian of the Social Law Library; order that $400 be transferred from the reserve fund, referred to executive committee c 417, 418–report, accepted, order passed c 450

inferior court commission: communication from the mayor transmitting communication from the commissioner of inferior courts with order for transfer of $2,500 from reserve fund c 304, 305–referred to committee on county accounts c 305; report, accepted, order passed c 321

medical examiners: petition from George B. Magrath and Timothy Leary, asking that lines established September 5, 1881, be relocated, whereby county of Suffolk was divided into two medical examiners' districts, referred to executive committee c 194

probate indexes: communication from the mayor transmitting communication from the register relative to; order to transfer $4,500 from reserve fund to appropriation for County of Suffolk, Probate Court, passed c 360; order that the register of probate cause to be printed the first two volumes of probate index for said county from 1894–1910, consolidated as one volume, passed c 360

probation officers: communication from justice of municipal court, Roxbury district, giving notice of appointment of U. S. Varney as probation officer, referred to committee on county accounts c 123; report, with order, accepted, passed c 201; communication from the mayor and justice of said court relative to, referred to committee on county accounts, discussed c 230, 231–reconsidered, referred to executive committee c 231–report, discussed c 255, 256, 257–passed c 257; order fixing salary of probation officer, referred to executive committee c 242; communication from clerk stating that compensation of assistant female probation officer, Elizabeth A. Lee, has been fixed at $1,500, referred to committee on county accounts c 487–report, with order, accepted, passed c 526

retirement: Albert S. Buswell, petition for retirement c 44–report, with preamble and resolution, retiring officer at salary of $800 per annum, accepted, passed c 64; Frederick C. Brughts, petition for c 133

retirement system: communication from the secretary of the commonwealth relative to placing act upon official ballot, referred to executive committee c 383–report, no action necessary c 449

Social Law Library: petition for appropriation of $1,000 c 12–granted c 64

transfer for county jail furnishings: communication from the mayor transmitting order for transfer of $1,500 from appropriation for reserve fund for jail furnishings, referred to executive committee c 560–report, accepted, order passed c 569

vacation for registry of deeds: order to allow three weeks' vacation without loss of pay to employees, referred to executive committee c 171–report, accepted, order passed c 185

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Crawford, David E.

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Cummington Street.

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Dever, John F.
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Devlin, John.
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Dexter Brothers Company.
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New Brunswick regiment: communication from the mayor transmitting communication from Brigadier General William H. Oakes, requesting an appropriation for entertainment of regiment, referred to executive committee c 175–report, referred to the mayor c 185; communication from the mayor transmitting order for appropriation, referred to executive committee c 188–report, accepted, order passed c 202

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Donaghue, George A.

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Dorchester Street.

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Dorr, Alvin D.

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laying out: order that street commissioners lay out as a public way from Quincy to Bodwell st., passed c 35

Drohan, B. F.

communication from the acting mayor transmitting order pensioning, referred to executive committee c 259–report, no further action c 336

Dudley Square, Roxbury.

city clock: order to consider advisability of maintaining, passed c 506

Dudley Street.

release of city rights: *see* Public Works

sidewalks: F. G. Buckley, petition c 372–granted c 373; H. A. Kirk, petition c 372–granted c 373

Duffy, Charles.

order that the sum of three hundred and fifty dollars be paid widow, passed c 64; order that amount paid widow be charged to reserve fund, passed c 73

Duffy, John F.

petition, compensation personal injuries c 334

Duffy, Maurice A.

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appointed street commissioner c 486; appointed fire commissioner, temporarily c 563

Dunphy, James W.

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Durgin, Samuel H.

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Durlan, C. M.

sidewalks, Centre and Wainwright sts., petition c 372–granted c 373

Duston, Charles.

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Dwight District, School. (*See* School Department.)

Eagle Hill Reservoir.

order that commissioner of public works report as to the cost of filling reservoir in a suitable manner for playground, passed c 245; communications from the mayor and commissioner of public works relative to, referred to executive committee c 306–report, placed on file c 320

Earle, Daniel C.

petition, compensation for injuries c 86; petition for hearing on compensation for injuries caused by city automobile c 133

East Boston.

branch library: *see* Library Department

collapse of buildings: *see* Building Department

filling of Eagle Hill Reservoir: *see* Eagle Hill Reservoir

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tunnel for teaming and foot passengers: petition of Atlantic Works *et al.* asking that early favorable action be taken; resolution relative to, referred to executive committee c 31; communication from West End, North End and East Boston Development Committee, transmitting resolution, placed on file c 32; report with resolution and order, accepted, adopted, order passed c 48

East Boston Court.

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East Boston Marginal Freight Railroad Company.

location: notice of hearing on petition c 364

East Concord Street.

sidewalk: Norcross Bros. Co., petition c 334–granted c 336

East Cottage Street and Columbia Road.

drinking fountain: order for removal of, passed c 125; communications from the mayor and park commissioners relative to removal, placed on file c 176.

East Second Street.

sidewalks: estate of J. Harrington, petition c 133–granted c 146; James P. Begley, petition c 133–granted c 146; R. P. Gerety, petition c 133–granted c 146; C. Sullivan, petition c 307–granted c 319

East Sixth Street.

sidewalk: Annie E. Sawyer, petition c 150–granted c 158

East Third Street.

sidewalk: Mrs. Horace Manson, petition c 133–granted c 146

Eastern Flour Company.

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Eastern Grocery Company.

communication relative to building limits, referred to committee on ordinances c 402

Eastman Street.

sidewalk: F. E. Corbett, petition c 133–granted c 146

Edge Hill Street.

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Edison Electric Illuminating Company.

locations:

Annison and Saratoga sts.: erection and removal, granted c 238
Bennington st.: c 54
Chelsea st.: c 35
Connor and La Grange sts.: c 63
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Elmira and Murdock sts.: c 30
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Frankfort *and other streets:* attaching of wires, granted c 150
Gladstone st.: c 13
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Edison Green.

sidewalks: P. J. Lyons, petition c 93–granted c 99; George V. Wattendorf, petition c 150–granted c 158; Mary C. V. McCarthy, petition c 176–granted c 184; James J. Jacques, petition c 178–granted c 184; W. H. Hardy, petition c 334–granted c 336; G. V. Wattendorf, petition c 451–granted c 474

Edmonds, M. F.

communication recommending pension with order relative to, referred to executive committee c 175, 176–report, accepted, order passed c 184

Edson Street.

sidewalks: E. F. Sullivan, petition c 150–granted c 158; Joseph Sullivan, petition c 133–granted c 146; J. W. McEnany, petition c 150–granted c 158

Ehrlich, Sally H.

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Eighth Street.

sidewalks: F. T. Leahy, petition c 451–granted c 474; S. W. Johnson, petition c 515–granted c 526

Election Department.

commissioners: notice of appointment of M. W. Burlen c 30–notice of approval by civil service commission c 63; communication from the mayor notifying of appointment of John M. Minton chairman of board, also member of listing board, placed on file c 86

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election officers: order to pay before Thanksgiving Day, passed c 450, 451

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precinct lines, Ward 20: communication from the mayor transmitting communication from the election commissioners relative to new division of precinct lines, referred to executive committee c 7; order that a special committee be appointed to consider subject, passed c 13–report of special committee c 35, 36–accepted, passed c 36; report, no further action necessary c 107

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Eliot Street.

sidewalk: Eliot Street Trust, petition c 307–granted c 319

Eliot Street Trust.

sidewalk, Eliot st., petition c 307–granted c 319

Ellery Street.

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Elm Hill Avenue.

transfer of land: order that the care and custody of strip of land between Schuyler and Seaver sts. be transferred to superintendent of public grounds, referred to committee on public lands c 143–report, laid over c 203–taken up, passed c 220

Emerson, Mary C., Mrs.

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English, James F.

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Enos, Elizabeth.

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Evacuation Day.

closing of streets to travel: order authorizing, passed c 31

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committee: appointed, Councilman Attridge chairman c 48

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Falvey, Timothy J.

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Faneuil Hall.

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memorials: order that no portrait or bust or any form of portrait memorial be placed in hall unless the subject shall have been dead twenty-five years, referred to committee on ordinances c 171–report, accepted, order rejected c 556

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portrait of Maj. Robert Anderson: order to transfer from committee room, City Hall, referred to executive committee c 64–report, accepted, order passed c 66

statues, etc.: order that no statue, bust, picture or other memorial be placed in hall until ten years after death of person to be commemorated, referred to committee on ordinances c 568–report, accepted, order rejected c 585

Faneuil Hall Square.

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Fees for Permits.

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Fenway Postal Station.

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Ferdinand Street.

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reports: order that the committee on finance report on all matters which have been pending three weeks or more, discussed c 384, 385–referred to committee on finance c 385; order that in accordance with Rule 24 all papers in possession of committee longer than three weeks be returned to the city council, etc., referred to committee on finance c 386; order that finance committee report on matters before it, etc., discussed c 388,–391–referred to committee on finance c 391; order that committee be given one week in which to report, discussed c 392, 393–referred to committee on finance c 393–report, no further action necessary c 418; order that in accordance with Rule 24 of city council rules two weeks be granted committee in which to report, referred to committee on finance c 393–report, no further action necessary c 418

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pension act: communication from the finance commission relative to, placed on file c 372

report requested on eight questions relative to financing of permanent improvements: order requesting finance commission to submit report (questions given), passed c 429

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additional fire protection: communication from the finance commission relative to c 71-73–placed on file c 73

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claim: Anna Rohertson: *see* Robertson, or Claims

claims of firemen for losses in fire of August 9, 1910: communications from the mayor and fire commissioner giving amount of losses, c 378, 379–referred to committee on claims c 379–report, with orders to allow payments to William J. Northway, John E. Nolan, Arthur K. Paradise, C. F. Curran, F. W. Kennedy, D. Calder, William J. Dower, E. M. Byington, accepted, passed c 448, 449

engine house, Parker Hill: report, referred to fire commissioner, accepted c 422; communication from the fire commissioner relative to, placed on file c 457; order that fire commissioner report as to the disposition of sum appropriated for fire house, passed c 509

fire bells, sale of: communication from the mayor transmitting order authorizing sale of bells which are no longer of service, referred to executive committee c 483–report, accepted, order passed c 509

fire lines: communication from the mayor transmitting communication from the fire commissioner relative to, submitting draft of new ordinance changing fire lines c 83, 84–referred to committee on ordinances c 83, 84

Fire Department, *continued.*

fire protection: communication from the finance commission c 308-311–referred to executive committee c 311–report, placed on file c 320; order that the fire commissioner report what sections are in need of protection, the character of apparatus necessary, etc., passed c 291: communication from the mayor transmitting communication from fire commissioner c 298-302–referred to executive committee c 302–report, placed on file c 321

fire protection, Parker Hill: order that the mayor report progress relative to, passed c 201; communication from the mayor transmitting communications from fire commissioner, public works commissioner and street laying-out commissioners c 210, 211–placed on file c 211

fire station, Oak sq.: communication from the mayor transmitting order for transfer of $10,000 from reserve fund, passed c 248

height of firemen: ordinance concerning, referred to committee on ordinances c 125; call for report of committee c 355–report, with ordinance in new draft, discussed c 365–368–recommitted c 368–report, with ordinance in new draft, discussed c 584, 585–referred to next government c 585

high pressure fire service: resolution favoring passage of bill now before committee on cities relative to, assigned c 78–taken up, adopted c 89; order for loan of $150,000 for the construction of a high pressure fire service, etc., referred to committee on finance c 184–report, accepted, order read once, passed c 214–taken up, given final reading, passed c 254; order for loan of $300,000, referred to committee on finance c 184–report, no further action necessary c 214; communications from the mayor and fire commissioner inclosing certified copy of act to provide high pressure in the City of Boston c 132, 133–referred to executive committee c 133–report, accepted c 185; order that the fire commissioner be requested to submit a plan of the proposed high pressure fire service stations, pumps and mains, discussed, passed c 147; communication from the mayor transmitting communication from the fire commissioner, transmitting plans, referred to executive committee c 148–report, recommending reference to finance commission c 158; communication from the finance commission with recommendations c 163, 164–referred to executive committee c 164–report, placed on file c 185

hours of work: order that fire commissioner report whether chapter 494, Acts of 1911, are being violated or not, passed c 375–report, accepted, placed on file c 509

Hyde Park connections: communications from the mayor and fire commissioner relative to, transmitting order authorizing transfer from reserve fund, $5,000, referred to executive committee c 455

increase in department: communication from the Real Estate Brokers' Association relative to c 578

land, Albany st.: report, placed on file c 419

meal hours: resolution relative to, referred to executive committee c 465–report, accepted, order passed c 473

payment of annuity to Mrs. Needham: communication from the fire commissioner relative to, referred to executive committee c 12–report, accepted, order passed c 15

payment of wages to firemen: order that the mayor instruct the city treasurer to pay before Christmas, passed c 506

pension for firemen: order to accept Acts of 1911 relative to, passed c 315

poles:

COLBERG AVE.: location, granted c 30

DORCHESTER AVE. *and other streets*: erection posts, granted c 238

quarters for fireboat: communications from the mayor and fire commissioner, with order for loan of $5,000 additional for new quarters for fireboat, referred to committee on finance c 8–taken from files and referred to executive committee c 40–report, accepted, order passed to second reading c 41, 42–taken up, passed c 54; communications from the mayor and fire commissioner with order for loan of $35,000 for permanent quarters for crew at Northern ave. c 329, 330–referred to committee on finance c 330–report, that order ought not to pass c 419; communication from the mayor transmitting order for transfer of $25,000 from reserve fund, discussed c 391, 392–referred to executive committee c 392–report, accepted, order passed c 396

red lights for fire alarm boxes: order that the fire commissioner be requested to designate hoxes with red lights and have printed forms of instruction on each box, passed c 321

sale of fireboat: communications from the mayor and fire commissioner transmitting order for sale of old fireboat to highest bidders, referred to executive committee c 8–report, accepted, order passed c 15

violation of eight-hour law: communications from the mayor and fire commissioner relative to, referred to executive committee c 405

Firearms.

fees, etc.: ordinance relative to licensing, referred to executive committee c 245–report, accepted, ordinance passed c 246

use of: *see* Ordinances

Firearms, *continued.*

licenses: petition c 237–granted c 246
COHEN, M.: Fleet st., petition c 443–granted c 450
DIAB, S. L.: Washington st., petition c 443
EINSTEIN, CHARLES: petition c 515–granted c 526
ENDICOTT STREET LOAN COMPANY: Endicott st., petition c 443
FRIEDMAN, NATHANIEL, *et al.:* petitions c 237–granted c 246
HUNTER, J. B., & Co., *et al.:* petition c 260–granted c 269
LEVINE BROTHERS: Essex st., petition c 443
LEVITAN, HARRY S., *et al.:* petition c 334–granted c 336
MINER, W. C., COMPANY, *et al.:* petition c 364–granted c 369
MORSE, A. S., COMPANY: petition c 564–granted c 568
NEEDLE BROTHERS *et al.:* petition c 307–granted c 319
PEARLSTEIN, LOUIS, *et al.:* petition c 252, 253–granted c 253
SULLIVAN SQUARE LOAN OFFICE *et al.:* petition, license c 279–granted c 283

Fireboat, Sale of. (*See* Fire Department.)

Fire Escapes on Public Buildings. (*See* Public Buildings Department.)

Fire Hazard Commission.

communication from the mayor transmitting report of commission c 434–438–referred to executive committee c 438–report, accepted, placed on file, ordered printed as a city document c 450

Fire Lines, Changing of. (*See* Fire Department.)

First Parish, Dorchester.

petition for confirmation of title to real estate c 547

First Regiment Volunteer Infantry Veteran Association.

communication from the mayor transmitting order to transfer $300 from appropriation for reserve fund to be expended for reception of surviving members, referred to executive committee c 149–report, accepted c 158, 174

Fisher Avenue.

sidewalk: S. T. Moore, petition c 456–granted c 473

Fitzgerald, C.

sidewalk, Gove st., petition c 307–granted c 319

Fitzgerald, John F., Mayor.

address at inaugural exercises of city council c 1-4

Fitzgerald, William F.

notice of appointment as member of board of directors of the port, placed on file c 486

Flags, Display of. (*See, also,* City Messenger.)

communication from Edward O. Skelton, patriotic instructor, department Mass. G. A. R., relative to, referred to executive committee c 132–report, no action necessary c 174; order that on all public buildings flags should be displayed upon all days except Sundays, in accordance with Senate Bill No. 406, passed c 173

Flags on City Buildings.

order that the mayor instruct the heads of various departments to have flag displayed on every week day on public buildings, passed c 543

Foley, Mark.

petition, compensation personal injuries by schoolhouse gate c 456

Footbridge, Dover Street. (*See* Dover Street.)

Ford, J. F.

sidewalk, Walter st., petition c 307–granted c 319

Forest Hills Improvement Association.

invitation to members of city council to attend meeting on Tuesday, March 7, referred to executive committee c 13–report, accepted, placed on file c 31

Forest Hills Playground. (*See, also,* Playground, Ward 23.)

locker building: order to transfer $15,000 from the reserve fund to special appropriation, passed c 247

Forest Hills Storage Warehouse Company.

petition, compensation for damages to property by sewer c 307

Form of Votes.

rules relating to c 46

Fort Point Channel Bath House. (*See* Bath Department.)

Foster, Sadie.

petition, compensation for damages, Cherokee st. c 212

Fourth of July.

committee: communication from the mayor relative to appointment of committee, referred to executive committee c 133–report, accepted, order passed c 158

fireworks: Augustus Seaver, petition for an investigation concerning fireworks, referred to executive committee c 261–report, placed on file c 450

Fowl.

ordinance relative to keeping: ordinance referred to committee on ordinances c 429–referred to executive committee c 556
MCINTYRE, PETER: petition to be paid for hens killed by dogs c 118–report and order, accepted, passed c 141
MCMAHON, ELLEN: petition to be paid for loss of fowl c 237–granted c 261

Franklin Field.

tennis court: communication from the mayor transmitting order for transfer of $4,000 from the reserve fund, passed c 252

Franklin Park.

removal of wall, Seaver st.: order that park commissioners be requested to report upon advisability of removal of wall, passed c 244; order that the Boston Elevated Railway Company be requested to state whether they would bear all or a part of expense of removal, passed c 463–referred to next government c 568

zoological garden: *see* Park Department

Freeport Street.

bathing beach: report, discussed c 269, 270–recommitted c 270–report, accepted, order passed c 459–taken up, given final reading, passed c 490

sidewalk: M. Shoolman, petition c 133–granted c 146

use of wharf for garbage: *see* Garbage, Disposal of

Freidberg, Albert.

petition, compensation for personal injuries c 306

Fremont Avenue Playground.

appropriation: communication from the mayor transmitting communication from the park commissioners, transmitting order to transfer $3,000 from reserve fund to special appropriation, referred to executive committee c 228–referred to committee on finance c 246–report, referred to executive committee c 419–report, accepted, order rejected c 459

Friend Street.

sidewalk: W. J. Packard, petition c 212–granted c 222

Friend and Traverse Streets.

sidewalk: George F. Monahan, petition c 279–granted c 283

Fritz, Nathan.

sidewalk, Otisfield st., petition c 334–granted c 336

Fruit and North Grove Streets.

transfer of land: *see* Massachusetts General Hospital

Fuller Street.

sidewalk: W. E. Douse, petition c 93–granted c 99

Fund for Retirement of Laborers. (*See* Laborers.)

Fusiliers of St. John, N. B. (*See* Distinguished Visitors.)

Gannon, Annie, Mrs.

petition, compensation personal injuries c 577

Garbage, Disposal of.

bids for disposal: order that all bids and papers relative to contracts for disposal of refuse be printed as a public document, amended, passed c 475

bids, estimate of comparative cost: order that an accountant be employed to estimate the comparative cost of the two bids, etc., substitute order offered, discussed c 475, 476–adopted, passed c 476; communication from the commissioner of public works submitting bids for disposal of a part of the city refuse, referred to executive committee c 475–report, accepted, order for hearing, passed c 475; communication from the commissioner of public works transmitting bid of J. P. O'Riorden of Charlestown, referred to executive committee c 487; communication from the finance commission relative to comparison of cost c 515–524–referred to executive committee c 524

collection at North End: *see* Public Works Department

contract: Boston Disposal Company, petition for public hearing c 71–notice of withdrawal of request for hearing c 87–placed on file c 88; resolution requesting public works commissioner to give benefit of his opinion regarding contracts submitted at recent call for bids, referred to executive committee c 246–report, accepted, discussed c 540–542; council voted to approve contract of Boston Development and Sanitary Company c 542

crusher: invitation to city council to witness demonstration of crusher c 238

depot: communication from the mayor transmitting communication from the Savin Hill Improvement Association protesting against location of garbage station on water front, Harrison sq. c 131, 132–referred to executive committee c 132; protest from Savin Hill Improvement Association against proposed garbage depot at Harrison sq. c 488–placed on file c 568

disposal of city refuse: communication from the mayor transmitting communication from the commissioner of public works and proposal of Boston Disposal Company c 60-63–referred to executive committee c 63–report, with recommendation, accepted, adopted c 66; motion that Commissioner Rourke come before city council and state what has been done with regard to disposal of garbage question, carried c 40; order that executive committee give public hearings, referred to executive committee c 41; communication from the mayor returning papers relative to and transmitting communication from commissioner of public works, referred to executive committee c 69, 70; communication from the mayor transmitting letter from the secretary of Boston Chamber of Commerce relative to disposition of refuse c 207, 208–referred to executive committee c 208–report, that same be placed on file c 222; preamble and resolutions relative to bids submitted upon the disposition of garbage, adopted c 174; order that the commissioner of public works be requested to report what action has been taken relative to, passed c 368; communications from the mayor and commissioner of public works, referred to executive committee c 371; reports, recommending that matters be placed on file on orders, etc., relative to disposal of garbage c 568–hearing c 533

Garbage, Disposal of, *continued.*

disposal of papers: order that the various communications, proposals and other papers relative to be referred to executive committee c 537

keeping: P. Robert Greene *et al.*, petition that ordinance be enacted relative to piling of barrels and covering same; ordinance relative to, referred to committee on ordinances c 506–report, discussed c 566, 567–accepted, ordinance rejected c 567; ordinance relative to, referred to committee on ordinances c 567

land, etc., under contract: communication from the law department relative to c 524, 525–referred to executive committee c 525

propositions concerning: order that the mayor, finance commission and city council consider the advisability of incorporating in any contract made by the city the following propositions (given), referred to executive committee c 74

report of committee of Chamber of Commerce: report c 537, 538–placed on file c 538

reports: order that one thousand copies be printed, etc., amended, passed c 194

taking of land, Spectacle Island: order that the law department be requested to give opinion as to whether the city has the power under right of eminent domain to purchase land in fulfillment of its part of the contract for the disposal of city waste, etc., passed c 475

wharf, Freeport st.: communication from the mayor transmitting remonstrance of Harrison Square Improvement Association against use of wharf and requesting hearing, referred to executive committee c 90–report, accepted, placed on file c 99

Garden Court Street.

sidewalk: C. Kolodny, petition c 456–granted c 473

Garrity, John.

petition, compensation personal injuries c 407

Gasolene. (*See* Explosives.)

Boston Elevated Railway Company: Albany *and other streets*, notice of intention to use buildings for storage c 134

Perrin, Seamans & Co.: Oliver st., notice of intention to use building c 134

Reed, J. T., & Co.: Tibbetts st., notice of intention to use building for storage c 134

Gay, E. Bradford, Late Master of Warren Grammar School.

order that pension of $50 per month be allowed, referred to executive committee c 147; communication from the mayor relative to, referred to executive committee c 148; report, accepted, order passed c 202

Gaylord Street.

sidewalk: order for construction, passed c 202

Gaynor, Charles F.

notice of appointment as institutions registrar c 458–notice of approval by civil service commission c 486

General Improvements, Consideration of. (*See* Appropriations.)

Geneva Avenue.

sidewalk: M. R. Simonds, petition c 212–granted c 223

water service: c 190

George Street, Ward 17.

repairing: order that commissioner of public works place in condition, passed c 357

Germantown, West Roxbury.

branch library: *see* Library Department

Geyer, Horace A.

petition, compensation for damages caused by defective drain, Sutton st. c 443

Gibson Street and Dorchester Avenue.

sale of land: communication from A. J. Johnson relative to, taken up, referred to committee on public lands c 14–report, with order, accepted passed c 253–taken up, given final reading, passed c 282

Ginsburg, Annie.

petition to be paid for plate glass window broken by member of fire department c 515

Glassman, James M.

appeared for Automatic Lighting Company at hearing on street lighting c 128

Glendale Street.

sidewalk: P. B. Siegal, petition c 307–granted c 319

Glenn, Frederick J.

report and order to employ at salary of $800 per year, accepted, passed c 107; communication from the civil service relative to, referred to executive committee c 135–report, accepted, referred to special committee c 146; communication from the civil service commissioners relative to, placed on file c 163

Glenway Street.

sidewalk: Louis Greenblatt, petition c 237–granted c 247

street crossings: order to provide at Brenton and Bradshaw sts. and Page ave., passed c 143

Goldberg, C. and A. J.

petition, compensation for damages, Lauriat ave. c 307

Goldberg, Charles.

petition, compensation for damage, Lauriat ave., by defective sewer c 279

Golden, S. T.

sidewalk, Erie st., petition c 334–granted c 336

Goldsmith, G. O., Mrs.

petition, compensation for coat torn on barrel c 93

Goldstein, Abraham.

petition, compensation for damages to team c 162

Goodwin, Emma J.

petition, compensation personal injuries c 306

Goodwin Estate. (*See* Playground, Jamaica Plain.)

Goodwin, Frank A.

appeared at hearing on street lighting c 129

Gore, F. S. & A. D.

notice from penal institutions commissioner relative to interest in concern c 192; notice of interest in corporation which has contract with city c 212, 238, 308, 364, 457

Gove Street.

sidewalk: C. Fitzgerald, petition c 307–granted c 319

Governor's Island.

communication from the mayor transmitting correspondence relative to City of Boston making improvements, etc., referred to executive committee c 20, 21–report, referred to special committee, committee appointed c 66; communication from the mayor transmitting communication from the war department relative to, referred to committee on Governor's Island c 209; report called for c 283; report, accepted, further time granted c 290; communication from the mayor transmitting resolution, that the mayor be authorized to notify major general commanding, Department of the East, of intention of City of Boston to take advantage of permission granted, referred to executive committee c 303–passed c 320

Grain Measurer.

J. M. Rankin, appointed c 122; Amos S. Hubbard, appointed c 148–confirmed c 164; William A. Tryder, appointed c 148–confirmed c 164; John J. Barnes *et al.*, appointed c 453–confirmed c 482

Grampian Way.

sidewalks: N. W. Robinson, petition c 212–granted c 222; W. B. Sherman, petition c 307–granted c 319

Granary Burial Ground.

projection: *see* Cemetery Department

Grand Army of the Republic.

reception to veteran regiment: *see* First Regiment of Volunteer Infantry Veteran Association

Grand Trunk Railroad.

preamble and resolutions extending thanks of city council to the Boston *American* for its successful efforts in molding public interests to importance of bringing railroad to Boston c 557

Grand Trunk Terminus at Boston.

preamble and resolutions indorsing the movement of establishment by the Grand Trunk Railroad of a terminus at Boston, discussed c 126, 127–adopted c 127

Gray, L. S.

sidewalk, Auckland st., petition c 372–granted c 373

Graziano, Emilia.

petition, compensation for damages by bursting sewer, Hale st. c 443

Greater Boston.

resolution that the city council favors the passage of house bill No. 715, an act creating a federation of metropolitan Boston, etc., discussed c 77, 78–adopted c 78

Greater Boston Real Estate and Ideal Homes Exposition.

communication from the mayor transmitting order for appropriation of $250 for exhibit of views of public buildings in Boston, passed c 46; communication from the mayor transmitting order for appropriation of $400, etc., referred to executive committee c 52

Green, Henry.

sidewalk, Holworthy st., petition c 212–granted c 223

Green, J. Rush.

petition to be repaid expense incurred on account of stoppage of sewer Arlington ave. c 407

Green, Samuel A., ex-Mayor.

guest at inaugural exercises of city council c 1

Greenbrier Street.

sidewalk: J. B. Casey, petition c 372–granted c 373

Greene, P. Robert.

appointed overseer of the poor c 115–approved by civil service commission c 123

Greene, P. Robert, *et al.*

petition relative to enacting of ordinance providing that refuse should not be piled above rim of barrel and should be covered; ordinance providing for same, referred to committee on ordinances c 506: *see* Garbage, Keeping of

Greenwood Street.

sidewalk: K. M. Hagopian, petition c 457–granted c 474

Griffin, Frank A., Trustee,

petition, compensation for damages, Woodlawn st. c 307

Griggs, Herbert H.

petition, compensation for damages caused by bursting water pipe, Ball st. c 191

Gross Funded Debt.

c 4

Grosvenor, W. J.

sidewalk, Pleasant st., petition c 307–granted c 319

Grove Street, Ward 20.

laying out: order to accept and lay out as a public way, passed c 214

Guiney, Dennis, Jr.

petition to be paid grade damages, Jenkins st. c 333

Gulesian, M. H.

petition, compensation for breaking of glass by a city wagon c 443

Gymnasium Building, Ward 8. (*See* Ward 8.)

Hagan, Henry E.

appeared at hearing on street lighting contract for the Boston Chamber of Commerce c 128

Hahn, Eliza.

petition to be paid for damages to roof c 564

Hale, Matthew, Councilman.

appointed: committee on soldiers' relief, temporarily c 5; committee on legislative matters, claims, soldiers' relief, printing c 48; committee on Parkman fund, Memorial Day c 88; committee on city planning c 556

orders offered: committee on soldiers' relief c 5
examination of appropriation bill c 40
money expended on Charlesbank c 40
value of city property c 40
disposal of garbage c 41
development of City of Boston c 63
city real estate c 65
closing of streets for Marathon race c 74
propositions concerning garbage disposal c 74
buildings on Back Bay Fens c 96
acceptance of act relative to mortuaries in the County of Suffolk c 120
holding of city planning conference c 183
printing of garbage reports c 194
binding committee records c 280
notice of state election c 384
printing of finance items c 393
ordinance, use of towels c 398
closing North Harvard st. c 429
retirement act, acceptance c 429
municipal building, Ward 7 c 464
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Hale, Matthew, Councilman, *continued.*

playground, Ward 2 c 465
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invitation to city planning conference c 539

remarks: consolidation of departments c 37-39
garbage situation c 40
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petition of Boston Elevated to be common carrier c 99, 101, 102
appropriation, Strandway playground c 103-106
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operation of swan boats, Public Garden c 147
fee for use of baths c 157
loan for lighting c 179
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Union Freight Railroad tracks c 182
City Planning Conference, 1912 c 183
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duties of Mr. Ernst c 216, 217, 220
city planning commission c 221
restrictions on land, Boylston and Providence sts. c 242
probation officer, Roxbury c 255-257
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children's hospital, Consumptives' Hospital department c 548
Arlington st. extension c 551, 552, 555
claim of Anna Robertson c 584
receptacles for keeping garbage c 567
building limits c 587, 588

Half Holiday, Cemetery Employees. (*See* Cemetery Department.)

Hall Street, Ward 23.

sidewalk: order for construction, passed c 77

Hamilton Street.

sidewalk: George N. Douse, petition c 133–granted c 146

Hamm, J. R.

communication from, also the captain of Division 3, relative to payment for broken windows, Somerset and Howard sts., referred to committee on claims c 488

Hancock Street, Dorchester.

sidewalks: William A. Whittemore, petition c 133–granted c 146; Edward Panciroli, petition c 178–granted c 184; O. R. Cooper *et al.*, petition c 372–granted c 373; A. H. Houghton, petition c 457–granted c 474

Hand Lighting System.

c 135, 136

Harbor and Land Commission. (*See* Port Directors.)

Boston Harbor: American Building Trust, petition to build structures c 238

Charles river: notice of hearing on petition of metropolitan park commission c 334

East Boston sea wall: notice of hearing on petition of Boston Cold Storage and Terminal Company c 87

Meridian street bridge: notice of hearing on petition of City of Boston to widen draw c 13

Neponset bridge, Northern avenue bridge: notice of hearing on petition of commissioner of public works to rebuild wharf and piers c 115

Northern avenue bridge, Meridian street bridge: City of Boston, petition c 163

South bay: notice of hearing on petition of Alger Land Trust c 94

Harbor View, East Boston.

boat landing: c 189

Hardy, W. H.

sidewalks, Moseley st., petition c 133–granted c 146; Edison green, petition c 334–granted c 336

Harlow, Ida W., *et al.*

sidewalk, Maxwell st., petition, order for construction, passed c 473

Harold Street.

sidewalks: Jacob Swartz, petition c 93–granted c 98; John Schneider, petition c 150–granted c 158; Augustus Holtzman, petition c 178–granted c 184; I. Shapiro, petition c 334–granted c 336

Harrigan, E. J.

sidewalk, Brookfield st., petition c 307–granted c 319

Harris, M.

sidewalk, Nightingale st., petition c 307–granted c 319

Hart, Sarah, Mrs.

petition, compensation for damages to property by breaking of sewer, Cedar st. c 260

Harvard Avenue, Ward 20.

acceptance: order that the street commissioners accept and lay out as a public way, passed c 119

Harvard Street.

sidewalk: report, accepted, order passed c 450

Harvest Street.

sidewalks: T. J. Kennedy, petition c 457–granted c 474; E. J. Dillamano, petition c 457–granted c 474

Haub, Hattie D. L.

petition to be paid for clothing torn in parkway c 514

Havey, John A., *et al.*

sidewalk, Mendum st., petition c 86–granted c 88

Haviland Street.

sidewalks: G. L. Hagenburger, petition c 457–granted c 474; G. L. N. Burger, petition c 515–granted c 526

Hay and Straw Measurers.

Amos S. Hubbard, appointed c 148–confirmed c 164; Samuel Bennett *et al.*, appointed c 159–confirmed c 179; S. E. Giles, appointed c 348–confirmed c 364

Healey, Daniel A.

petition, compensation for damages to clothing by projection from a pole, Elm st. c 443

Health Department.

commissioners: Samuel H. Durgin, appointed c 71–notice of approval by civil service commission c 94; resolution requesting mayor to immediately send an appointment to civil service commissioners for vacancy existing in board, discussed c 151, 152–referred to executive committee c 152–report, accepted, resolution adopted c 158; Patrick H. Mullowney, appointed c 163–notice from civil service commissioners of approval c 192

appropriation: communications from the mayor and board of health with order for transfer of $23,442 from the reserve fund, referred to executive committee c 378

cholera inspection: report, accepted, order passed c 396

City and Park sqs.: convenience stations, report, accepted, order passed c 459

city mortuaries: *see* Mortuaries, Care of

convenience stations: communication from the mayor transmitting order for transfer of $50,000 from reserve fund c 232, 233–referred to executive committee c 233–report, accepted, order passed c 246; communication from the mayor relative to, placed on file c 247; communication from the mayor transmitting communication from secretary of health department; order to transfer $22,000 from reserve fund, referred to executive committee c 402

lodging house conditions, Brighton: order that the board of health cause an investigation to be made as to conditions, discussed c 527–529–order rejected c 529

new health boat: motion to recall loan order from committee on finance, lost c 282; communication from the mayor transmitting communication from finance commission relative to c 297, 298–referred to executive committee c 298

nurses, additional: order that the mayor report what use is being made of appropriation for two additional nurses on milk and baby hygiene, passed c 243; communication from the acting mayor transmitting communication from the health department, placed on file c 279

Steamer "Vigilant": communication from the division engineer, with order for loan of $48,000 for new boat, referred to committee on finance c 208; communication from the mayor transmitting order for transfer of $48,000 from reserve fund to appropriation for new steamboat, referred to executive committee c 251–report, council refused to accept report of committee c 269; communications from the mayor, commissioner of public works, and division engineer, transmitting report of James Donald, naval architect, relative to condition of boat c 326, 327–referred to executive committee c 327–report, recommending reference to finance commission c 336; communications from the finance commission and the consulting engineer, referred to executive committee c 414; *see, also,* "Cormorant"

transfer of Consumptives' Hospital department: *see* Consumptives' Hospital Department

use of towels: *see* Ordinances

Heath Avenue.

acceptance and laying out: order to accept and lay out as a public way, passed c 530

Heath Street.

sidewalk: H. Martin, petition c 307–granted c 319

Heath, William S.

petition to be refunded balance due on account of water pipe, Chestnut Hill ave. c 212

Hecht, Simon E.

appointed overseer of the poor c 134–notice of approval by civil service commissioners c 150

Hecla Street.

sidewalk: Fred J. Corbett, petition c 515–granted c 526

Height of Firemen. (*See* Fire Department.)

Helping Hand Home, Purchase of. (*See* Public Lands.)

Hemenway, Augustus, Jr.

petition, compensation for damages to automobile by fire apparatus c 577

Hemenway Street.

sidewalks: Benjamin Devine, Coleman & Gilbert, petitions c 118–granted c 120; Benjamin Devine, petition c 150–granted c 158; Snider & Rudnick, petition c 212–granted c 222; H. Leshefsky, petition c 279–granted c 283

Hewins Street.

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Hickey, Charles J.

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High Pressure Fire Service for City of Boston. (*See* Fire Department.)

Highland Avenue.

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Highland Park.

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Hinckley Street.

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Hines, Luke.

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Hoey, Helen A.

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Holbrook, W. H.

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Holiday Street.

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Holidays, Display of Flags.

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Hollander, William F.

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Holworthy Street.

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trustees: Timothy J. Falvey, appointed c 71–notice of withdrawal c 87; notice of appointment of Joseph P. Manning c 87–approved c 134; notice of organization c 134

additional appropriations: $10,000: *see* Appropriations, Additional Sums

additional buildings: communication from the mayor and trustees of city hospital relative to need of greater accommodations, south department, and requesting $297,800, etc. c 206, 207–referred to committee on finance c 207; order for loan of $297,800 for new buildings, changes, etc., referred to committee on finance c 263–report, that same be placed on file c 490; communications from trustees c 263, 264, 265–notice to reconsider reference, discussed c 265-268–refused c 268; communication from the mayor transmitting communication from the city hospital trustees relative to appropriating $297,800 c 327-329–referred to committee on finance c 329; order to take order for $297,800 from committee on finance, referred to committee on finance c 393

ambulance drivers: communication from the mayor transmitting communication from the superintendent, referred to executive committee c 404–placed on file c 459

ambulance, East Boston: order that trustees report why relief station is not equipped with ambulance, passed c 263; communication from the mayor transmitting communication from hospital trustees, placed on file c 304

appropriation for stokers, etc.: communication from the mayor transmitting communication from trustees, with order for transfer of $17,000 from the reserve fund, referred to executive committee c 379, 380–report, accepted, order passed c 459

appropriation transfer: communication from the mayor transmitting communication from hospital trustees recommending transfer of balances of special appropriations to regular appropriation for fireproofing c 160, 161; order authorizing transfer, referred to executive committee c 161–report, accepted, order passed c 184; communication from the mayor and hospital trustees with order to transfer balance of $1,693.15 to appropriation for hospital building, improvements, referred to executive committee c 20–report, accepted, order rejected c 48

automobile ambulances: communications from the mayor and hospital trustees with order for transfer of $3,000 from the reserve fund to appropriation for ambulance, referred to executive committee c 481–report, accepted, order passed c 508

eight hours for ambulance drivers: order that trustees place ambulance employees on eight-hour basis, passed c 355

fireproofing: report, no further action necessary c 418

hours of work: order that the mayor call attention of trustees to chapter 494, Acts of 1911, passed c 375

mortuary: communication from the mayor transmitting order for appropriation of $15,000, passed c 317; communication from the mayor transmitting communications from Medical Examiner Timothy Leary and district attorney relative to; order for transfer of $13,000 from reserve fund, referred to executive committee c 434–report, accepted, order passed c 450; communication from the mayor transmitting communication from the medical examiner and Edward P. Dana, architect, referred to executive committee c 561–report, with resolutions, accepted, resolutions adopted c 569

new building: communication from the mayor relative to, also communication from the city hospital trustees c 18, 19–referred to committee on finance c 19–report, that same be placed on file c 490

Hospitals, Roxbury, Prohibition of. (*See* Ordinances.)

Howard Avenue.
sidewalks: C. H. Waldman, petition c 150–granted c 158; Y. Pearl, petition c 237–granted c 247–order to construct, passed c 450

Howard Avenue, Dean and Woodward Park Streets.
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Howard Street.
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Hoyt, William S.
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Hudson, Mildred.
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Humboldt Avenue.
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Humphrey, Laura S.
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Humphreys Street.
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Hunneman Street and Fenway.
land, Old Colony Trust Company: message of mayor and order releasing to Old Colony Trust Company land on said street, taken up, referred to committee on public lands c 14–report, accepted, order passed c 98

Huntington Avenue.
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Hurvitz, Simon.
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Hyde Park.
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five-cent car fare: communication from Hyde Park Business Men's Association, presenting a resolution, placed on file c 536

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Hyde Park Business Men's Association.
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appropriation for boat: communication from the mayor and trustees relative to, referred to committee on appropriations c 53

infirmary inmates: order to furnish home for aged inmates of Charlestown Almshouse, etc., discussed c 385, 386–assigned c 386–taken up, referred to executive committee c 539

new building, Long Island: communication from the mayor recommending passage of order appropriating $72,000 for erection of new buildings, referred to executive committee c 535–report, accepted, order passed c 590

sale of Charlestown Almshouse: communication from the mayor transmitting communication from trustees, and order authorizing sale, referred to executive committee c 244–report, referred to committee on public land c 246–report, accepted, order passed first reading c 281–discussed c 321, 322–laid on table c 322–motion to take from table, lost c 357, 368–taken up, discussed c 374, 375–passed c 375

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International Club of Boston.
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Jamaica Pond.
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Jenney Manufacturing Company.
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Jerome Street.
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Johnson, Hannah.
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Johnson, S. W.
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Jones, A. G.
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Judson Street.
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Kearns, Patrick S.
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Keim, C.
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Kenney, William F.
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Kenny, Thomas J., Councilman.
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branch library, East Boston: communication from the mayor transmitting order for transfer of $50,000 from reserve fund to appropriation for branch library, referred to executive committee c 251–report c 383–laid on table c 462–taken up, given first reading and passage c 473–taken up, given final reading and passed c 490; order that the superintendent of public buildings furnish estimate of cost of site, etc., passed c 315; communication from the mayor and superintendent of public buildings, giving estimate of cost, referred to committee on libraries c 329; order that $50,000 be appropriated by loan, referred to executive committee c 464–report, accepted, order rejected c 473

branch library, Germantown: communication from the Germantown Citizens' Association requesting branch library delivery station, referred to committee on branch libraries c 178

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cost of Shawmut ave. library: order that the library trustees be requested to furnish information as to the yearly rental of said branch library, the number of years for which it is leased and occupied, assessed value, etc., passed c 119; communication from the mayor transmitting communication from the trustees relative to, referred to committee on branch libraries c 122–report that same be placed on file c 143

library needs in city: communication from the mayor transmitting communication from the trustees relative to needs of branch libraries, referred to committee on branch libraries c 188

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Lynch, Hannah, Mrs.

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Lynch, James.

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Macauley, G. W.

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Macellano, Frank.

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MacLean, Wren, Mrs.

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Magee, Catherine.

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Maguire, Jane.

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Mahoney, R. J.

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"Maine," U. S. S.

communication from the mayor transmitting communication from the commander of Roger Wolcott Camp No. 23, Department of Massachusetts, United Spanish War Veterans, requesting that bells be tolled February 15, 1911, in memory of heroes of "Maine," placed on file c 12; order that the mayor cause bells to be rung at 9 a. m., noon and sunset, and flags to be raised at half-mast on February 15, the fourteenth anniversary of destruction of battleship in Havana Harbor, passed c 543

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Atherton, Caroline S.: appointed trustee for children c 547–confirmed by civil service commissioners c 563

Atkins, Edwin F.: appointed art commissioner c 253

Atteaux, Frederick E.: appointed cemetery trustee c 115–notice of approval by civil service commissioners c 150

Bacigalupo, James J.: appointed trustee for children c 308–confirmed by civil service commission c 351

Berenson, A.: appointed infirmary trustee c 115–approved by civil service commission c 123

Burlen, M. W.: notice of appointment as election commissioner c 30–notice of approval by civil service commission c 63

Chisholm, Alexander C.: notice of appointment as bath trustee c 351–approved by civil service commission c 383

Clarke, Robert F.: appointed director of Collateral Loan Company c 93

Cole, Charles H.: notice of appointment as fire commissioner c 563

Coolinge, John T.: notice of appointment and approval as art commissioner c 334

Curran, George E.: appointed director of Workingmen's Loan Association c 93

Daly, Charles D.: communication from the mayor giving notice of removal c 563

Daly, Franklin P.: appointed overseer of the poor c 119–notice of confirmation by civil service commission c 134

Di Cola, Gaspare: appointed trustee children's institutions department c 71

Dunn, John H.: appointed street commissioner c 486

Dunphy, James W.: appointed sinking funds commissioner c 71–notice of approval by civil service commission c 119

Durgin, Samuel H.: appointed health commissioner c 71–notice of approval by civil service commission c 94

Emerson, Nathan W.: appointed infirmary trustee c 115–notice of confirmation by civil service commission c 134

Falvey, Timothy J.: appointed hospital trustee c 71–notice of withdrawal c 87

Gaynor, Charles F.: notice of appointment as institutions registrar c 458–notice of approval of appointment c 486

Greene, P. Robert: appointed overseer of the poor c 115–approved by civil service commission c 123

Kenney, William F.: appointed library trustee c 71–approved by civil service commission c 115

Logue, Charles: appointed schoolhouse commissioner c 71–notice of approval by civil service commission c 94

McNeil, Neil: appointed member of board of appeal c 159–confirmed c 179

McSweeney, Edward F.: appointed Consumptives' Hospital trustee c 71–notice of approval by civil service commission c 123

Manning, Joseph P.: notice of appointment as hospital trustee c 87–notice of confirmation by civil service commission c 134

Marks, John D.: appointed director of Chattel Loan Company c 93

Martin, Miles: appointed overseer of the poor c 115–approved by civil service commission c 123

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Murphy, William M.: appointed bath trustee c 71–notice of approval by civil service commission c 94

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WYZANSKI, MAX: appointed sinking funds commissioner c 71–notice of approval by civil service commission c 119

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playground: communication from the mayor transmitting communication from the Meeting House Hill Improvement Association requesting an item placed in annual loan bill of $50,000 for playground, Mt. Ida, referred to executive committee c 161–report, no action necessary c 174; report on order referred last year for loan of $50,000 for playground, Ward 20, discussed c 165, 166–read once and passed c 166–given second reading, passed c 194

Meetings of the City Council. (*See, also,* City Council.)

rules relating to c 46

Melville Avenue.

sidewalk: Nathan C. Harrison, petition c 133–granted c 146

Melville Road.

acceptance: R. Mansfield *et al.*, petition that street be accepted c 392; order that street commissioners accept and lay out, passed c 392

Melvin, Thomas J., *et al.*

petition for improvements, playground, Ward 17 c 242

Memorial Day.

committee: appointed c 88

Memorial to George T. Angell. (*See* Angell, George T.)

Mendum Street.

sidewalk: John A. Havey *et al.*, petition c 86–granted c 88

Meridian Street Bridge.

appropriation: communication from the mayor transmitting communication from the commissioner of public works and division engineer of the bridge and ferry division, with order for loan of $63,000 c 112, 113–referred to committee on finance c 113, 189–report, that order be referred to finance commission for investigation c 166, 167–reference ordered c 167; communications from the mayor and acting secretary of war with order for loan of $63,000, referred to committee on finance c 295–report, accepted, given first reading c 384; communication from assistant city clerk relative to, placed on file c 407, 408–report, no further action necessary c 418

boat landing, public: c 189

drawbridge: order that the committee on finance be directed to request a hearing before the United States engineers relative to width, passed c 214

Meridian Street Bridge, *continued.*

widening: communication from the finance commission relative to c 192, 193; order for loan of $63,000, referred to committee on finance c 193–report, accepted, order rejected c 214

width of drawbridge: resolution relative to width of drawbridge, passed c 167

Meroth, Rose.

petition to be paid for coat torn on playground c 44

Merrimac and Norman Streets.

sidewalks: Jacob Siberstein, petition c 334–granted c 336

Messenger, City. (*See* City Messenger.)

Metropolitan Coal Company.

petition to be paid amount deducted for alleged shortage in cargo of coal delivered to penal institutions department c 71

Metropolitan Park Commission.

notice of location of West End Street Railway on Charles river dam c 486

regulation of pleasure crafts on Charles river: order that the mayor confer with commission relative to regulating pleasure crafts, etc., passed c 125

Metropolitan Plans.

communication from the commission relative to suggestions for a bill c 488, 489–referred to executive committee c 489

Metropolitan Water and Sewerage Board.

bond of indemnity from Andrew M. Cusack filed with city clerk c 334

Michienzi, Amedeo.

petition to be paid for damage to coat caused by metal projecting, Tremont st. c 12

Militia Enrollment.

number of persons in Boston liable to militia enrollment c 260

Milk Price, Investigation of.

order that the district attorney be requested to investigate the increase in price of milk to consumers in Boston and vicinity, etc., passed c 281; communication from the district attorney, J. C. Pelletier c 335

Milk, Pure.

resolution indorsing house bill No. 1332 relative to, referred to executive committee c 13–report, accepted, resolution adopted c 31

Miller, D. J.

sidewalk, Brookfield st., petition c 307–granted c 319

Millet Street.

sidewalks: order for construction, passed c 87; Mark and Joseph Harris, petition c 191–granted c 203

Milligan, James.

petition, compensation for injury to horse c 35

Mills, Kathryn.

petition to be paid for damages to clothing by mud and oil c 351

Mills, O. B.

petition, compensation for damages, Burrell st. c 334

Milton, D.
sidewalk, Allen st., petition c 307–granted c 319

Milton Avenue.
sidewalk: W. W. Smith, petition c 307–granted c 319

Minors' Licenses. (*See* Licenses.)

Minot, Laurence.
communication relative to proposed extension of Arlington st. c 6; petition to be paid expense incurred on account of stoppage of main sewer, Noanet st. c 191

Minot Street, Ward 24.
sidewalks: order for construction, passed c 214; order to construct, referred to executive committee c 508–report, accepted, order passed c 508

Minton, John M.
notice of appointment as chairman of election commissioners, also member of listing board c 86

Minutemen's Fiftieth Anniversary.
communication from the mayor transmitting order for an appropriation of $500 for celebration of anniversary, referred to executive committee c 49, 50–report, accepted, order passed c 56

Momand, R.
communication relative to street lighting c 134

Monahan & Lark.
petition for hearing on claim c 30

Money for Various Improvements. (*See* The Different Improvements.)

"Monitor" Employees.
order that the corporation counsel be requested to report as to whether said employees are county or city, passed c 449–opinion c 456

Montana Street.
sidewalk: A. Rosenberg, petition c 307–granted c 319

Moody's Corner, Dorchester.
band concerts: *see* Music Department

Moore, Edward A.
petition, sidewalk, Rockwell st. c 86–granted c 88

Morrill Street.
sidewalk: R. G. Crosby, petition c 307–granted c 319

Morris, Parker D.
appeared for clients at hearing on street lighting c 129

Mortuaries, Care of.
communication from the mayor transmitting care of city mortuaries from the health department to medical examiner, Suffolk County, northern district, referred to executive committee c 205–report, accepted, order passed c 222; communications from the mayor and health commissioner with order for transfer of $2,500 from health department to County of Suffolk, referred to executive committee c 205–report, accepted, order passed c 222

Mortuaries in the County of Suffolk. (*See* Legislative Matters.)

Moseley Street.
sidewalk: W. H. Hardy, petition c 133–granted c 146

Mosquito Fleet Yacht Club.
communication from club relative to yacht race, Labor Day c 317

Moth Nests. (*See* Public Grounds Department.)

Motions.
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Motor Apparatus, Fire Department.
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Mt. Everett Street.
sidewalks: H. A. Brehaut, petition c 93–granted c 98; W. H. Crosby, petition c 93–granted c 98; George N. Douse, petition c 133–granted c 146; John W. Douse, petitions c 163–granted c 173; J. S. B. Heath, petition c 191–granted c 203

Mt. Hope Street.
sidewalk: H. Rambach, petition c 372–granted c 373

Mt. Hope Street and Hyde Park Avenue.
sidewalk: Hyman Rambach, petition c 279–granted c 283

Mt. Ida Playground. (*See* Meeting House Hill Playground.)

Mt. Vernon Street, Dorchester.
trees: order to plant, passed c 385

Mowatt, C. M.
sidewalk, Centre st., petition c 307–granted c 319

Mullowney, Patrick H.
notice of appointment as member of board of health c 163–notice from civil service commission of approval c 192

Mulry, M. A.
petition, compensation loss of parasol c 334

Municipal Athletic Association.
communication from the mayor transmitting order for an appropriation of $2,000 to be expended by bath trustees in accordance with program of said association, referred to committee on ordinances c 148, 149–report, no action necessary c 243; communication from the mayor transmitting order in new draft, referred to executive committee c 162–report, accepted, order passed c 174

Municipal Building, Charlestown.
order for loan of $80,000 for new courthouse, referred to committee on finance c 146–report, referred to superintendent of public buildings c 419; communication from the superintendent of public buildings, referred to committee on finance c 444

Municipal Building, East Boston.
communication from the mayor transmitting order for loan of $60,000, referred to committee on finance c 27; communication from the mayor transmitting communication from school committee, referred to committee on finance c 259, 260–report, no action necessary c 418; communication from the mayor transmitting communication from the superintendent of public buildings giving estimate of cost, referred to committee on finance c 260–report no action necessary c 418

Municipal Building, South Boston.

order for loan of $65,000 for new courthouse, discussed c 144, 145–referred to committee on finance c 145; report on petition referred last year of South Boston Citizens' Association, recommending passage of order for an appropriation of $120,000 and resolution transferring $30,000 from bath, Ward 15, resolution accepted, order given first reading, passed c 164–given second reading, passed c 194; resolution requesting mayor to transfer $30,000 from appropriation for bath house, Ward 15, to appropriation for municipal building, adopted c 167; communication from the mayor transmitting order authorizing transfer from bathing establishment, Ward 15, $30,000, to said appropriation, referred to executive committee c 176–report, accepted, order read once and passed c 185–taken up, given second reading, passed c 213; communication from the mayor transmitting order for an appropriation of $20,000, referred to committee on finance c 405, 406–report, accepted, order given first reading, passed c 490; communication from the city clerk notifying city council that order for loan of $20,000 not having been rejected or withdrawn was in force December 30, 1911, etc., placed on file c 537

Municipal Building, Ward 7.

order that committee on finance consider advisability of establishing municipal building, passed c 56; order for loan of $75,000 for land, building, etc., for a municipal building, referred to committee on finance c 201–report, referred to executive committee c 419; order that superintendent of public buildings be requested to furnish an estimate of cost of proposed building, site, etc., passed c 315; communication from the mayor transmitting communication from the superintendent of public buildings relative to cost, referred to committee on finance c 331–report, placed on file c 419; communication from the mayor transmitting order for transfer of $90,000 from reserve fund, etc., referred to executive committee c 379–report, no further action necessary c 418, 459; letters from Rev. William P. McQuaid *et al.* relative to c 444, 445–placed on file c 445; report, accepted, laid on table c 462–taken up, discussed c 466-470–given first reading and passage c 470; order for loan of $90,000 to be used for municipal building, referred to executive committee c 464–report, accepted, order rejected c 473–taken up, given final reading and passed c 490–report, recommending reference to executive committee c 548

Municipal Building, Ward 12.

order that committee on finance be requested to consider advisability of appropriating a sum sufficient for building, passed c 240

Municipal Building, Ward 17.

order for loan of $100,000 for building, referred to committee on finance c 474

Municipal Lighting Plant.

communication from the mayor transmitting a letter from the Boston Central Labor Union proposing plan c 82, 83–referred to executive committee c 83–report, with order for hearing, accepted c 99; order that city clerk advertise hearing c 106; order that communications from commissioner of public works be printed as a city document, passed c 110

Municipal Register. (*See* Statistics Department.)

Murphy, Anna J.

petition compensation damages to suit c 212

Murphy Brothers Company.

petition to be paid for damage to team c 30

Murphy, H. B. and A. C.

petition to be refunded amount paid as sewer entrance fee, Broadway, South Boston c 536

Murphy, John J.

appointed assessor c 71–approved by civil service commission c 115

Murphy, Michael.

petition, compensation for injuries while employed in public works department c 563

Murphy, William M.

appointed bath trustee c 71–notice of approval by civil service commission c 94

Murray, John.

petition to be paid for windows, Marcella st. c 486

Murray, John E.

petition, compensation for damages by stoppage of sewer, Albany st. c 547

Murray, Patrick.

petition, compensation for personal injuries while employed by city c 443

Music Department.

trustee: Daniel P. Shedd, appointed c 486

band concert, Harrison ave. and Gloucester pl.: order to furnish October 11, passed c 345; communication from the mayor and music commissioners, placed on file c 379

band concerts, Moody's corner: order that trustees give concerts during summer, passed c 262; communication from the mayor transmitting communication from the music trustees, placed on file c 305

consolidation: *see* Consolidation of Departments

Myrtle Street.

sidewalk: David Feldman, petition c 237–granted c 247

Mystic Avenue Bridge.

appropriation: communications from the mayor and commissioner of public works relative to; order for transfer of $6,720.17, referred to executive committee c 305–report, accepted, order passed c 320; order recalled from committee on finance, discussed c 280, 281–given final reading, passed c 281

Mystic Playground.

repairs, appropriation: communication from the mayor transmitting communication from the park commissioners transmitting order for transfer of $10,000 from the reserve fund, referred to executive committee c 478–report, accepted, order passed c 508

sea wall, etc.: communication from the acting mayor transmitting order for transfer of $4,000, referred to executive committee c 259–report, accepted, order passed c 269

N Street.

sidewalks: L. W. Johnson, petition c 456–granted c 473

National Red Cross Agents.

communication relative to hiring portion of Parkman building c 404

Navy Yard.

resolution relative to, discussed c 530, 531–adopted c 531

Needham, Elizabeth M.

appointed trustee for children c 515

Neponset.

land taken for station and depot: *see* Old Colony Railroad Company

Neponset Avenue.

sidewalks: P. O'Hearn, petition c 133–granted c 146; J. P. Archdeacon, petition c 150–granted c 158; John McShane, petition c 334–granted c 336; W. Hammond, petition c 457–granted c 474; St. Ann's School, petition c 457–granted c 474; W. B. Rice, petition c 457–granted c 474

Neponset Bridge.

appropriation, transfer: *see* Dover Street Bridge

Neponset Playground.

order that park commissioners be requested to grade and resurface and place in condition, passed c 174; communication from the mayor transmitting communication from the park commissioners relative to, placed on file c 186

Net Funded Debt.

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New City Hall. (*See* City Hall, New.)

New Courthouses and Police Stations.

communication from the mayor relative to c 9

New England Confectionery Company.

petition, compensation for damages, Melcher st. c 485

New England Telephone and Telegraph Company.

locations granted:

ADDISON, CANTERBURY *and other streets:* c 35
ARDEN, D *and other streets:* c 54
BOWDOIN AVE.: c 63
CANTERBURY ST.: c 13
COREY AND PARSONS STS.: c 30
DARTMOUTH ST.: attaching wires to poles of West End Street Railway Company c 63
ENGEWORTH ST.: c 71
GENEVA AVE.: granted c 150
HAVRE ST.: c 13
HEWLETT ST.: c 13
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LINCOLN, GREENMOUNT *and other streets:* locations, granted c 134
PARK ST., WARN 23: erection and removal, granted c 192
SLEEPER ST.: c 63
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New England Women's and Children's Hospital.

protest against incineration in city quarry adjoining hospital c 249

New Faneuil Hall Market. (*See, also,* Faneuil Hall Market and Market Department.)

use of sidewalk: C. S. Day & Co., petition for repayment of sums paid for use of sidewalks in front of cellar c 486–referred to superintendent of markets c 565

New Playgrounds.

communication from the mayor relative to c 9

New Streets, Need of.

communication from the mayor relative to c 9

New York, New Haven & Hartford Railroad.

development of land, Boylston st.: *see* Street Laying-Out Department

footbridge, Hyde Park ave. and Clifford st.: communication from the mayor transmitting communication from the street commissioners giving estimate of cost, referred to committee on finance c 17

railroad police: notice of appointment of Patrick McGovern c 53; notice that Charles Goodacre is no longer employed c 53; notice of nonemployment of Patrick McGovern c 364; John B. Hartnett, appointed c 364; J. T. Killion, appointed c 443

New York, New Haven & Hartford Railroad, *continued.*

release of rights in land: communications from the mayor and commissioner of public works relative to release of city's rights in land, Church st. c 545, 546; preamble and order authorizing release, referred to committee on public lands c 546

New York System of Assessing. (*See* Assessing System in New York.)

Newbury Street.

sidewalks: A. J. Rudnick, petition c 212–granted c 222; Henry Green, petition c 279–granted c 283; American Academy of Art and Sciences, petition c 372–granted c 373

Newhall Street.

sidewalk: order for construction, passed c 115

Newman, J.

sidewalk, Seaver st., petition c 307–granted c 319

Newman Street.

lamp: Thomas Waldron *et al.*, petition, order that street be properly lighted c 214

Newport Street.

sidewalks: Mrs. E. J. Ford, petition c 133–granted c 146; Mrs. Jane Wells, petition c 191–granted c 203

Newsboys, Licensing of. (*See* Licenses.)

Nickerson, Albert W.

communication from the city conveyancer relative to amendment in restrictions of land, Audubon rd., referred to committee on public lands c 35

Nightingale Street.

sidewalk: M. Harris, petition c 307–granted c 319

Ninth Regiment, M. V. M.

communication from the mayor and colonel of the Ninth regiment with order for transfer of $300 from reserve fund to be expended for celebration of fiftieth anniversary, etc., referred to executive committee c 162–report, accepted, order passed c 174

Nixon, Robert G.

petition for hearing on claim on account of injuries, Chambers st. c 133

Nixon Street.

sidewalks: O. L. Beverage, petition c 118–granted c 120; petition c 456–granted c 473

Noanet Street.

sewer: *see* Minot, Laurence, or Claims

Nolan, Michael.

petition for hearing on claim for injury received c 114

Norcross Brothers Company.

sidewalk, East Concord st., petition c 334–granted c 336

Norfolk Avenue to Massachusetts Avenue.

release of land: *see* Public Lands

Norfolk Street, Dorchester.

sidewalks: Katherine Nelson, petition c 93–granted c 98; Hyman M. Rambach, petition c 237–granted c 247; A. A. Page, petition c 307–granted c 319; R. J. Perry, petition c 307–granted c 319; G. W. Macauley, petition c 334–granted c 336; E. M. McKay, petition c 334–granted c 336; James J. Nolan, petition c 515–granted c 526

widening: order that street commissioners submit an estimate of cost of widening, passed c 36; communication from acting mayor transmitting cost of widening, referred to committee on finance c 44; order for loan of $100,000, taken up, referred to committee on finance, report, no further action necessary c 418; order that the mayor and executive committee visit street, passed c 73; resolution requesting that the mayor recommend transfer from reserve fund, $100,000, adopted c 333; order that the mayor be requested to consider advisability of recommending order for transfer of $150,000 from reserve fund, passed c 345–report, discussed c 421, 422–accepted, given first reading c 422; communications from the mayor and street commissioners with order for loan of $150,000, referred to committee on finance c 360, 361–report, no further action necessary c 418–taken up, given second reading and final passage c 445

Norfolk Street, Ward 21.

sidewalk: E. F. Butler, petition c 237–granted c 247

North Beacon Street.

state highway: resolution relative to taking street as state highway, referred to executive committee c 96–report, accepted, referred to finance commission c 98

widening: resolution favoring house bill No. 1285 relative to, adopted c 564

North End.

branch library: *see* Library Department

collection of garbage: *see* Public Works Department

North End Park.

repair of piers: communication from the mayor transmitting letter from bath trustees requesting $5,000 to complete repairs on piers at park c 159, 160–order for loan of $5,000, referred to committee on finance c 160–report, accepted, order rejected c 214; communication from the mayor transmitting order for transfer of $5,000 from reserve fund, referred to executive committee c 232–report, accepted, order passed c 246

North End Property.

purchase of: communication from the mayor relative to communication from Miss Skinner of Endicott st. relative to sale of property, Salem and Tileston sts., and requesting that city help buy property, referred to executive committee c 162–report, no further action necessary c 185

North End Transportation Facilities. (*See* Transportation Facilities, North and West Ends.)

North Grove Street Morgue. (*See* Mortuaries, Care of.)

North Harvard Street.

closing street: order to close June 23, passed c 244; order to close November 11, passed c 429

land: John H. Rourke, petition that city release any title it may have in lot c 372

North Street.

sidewalk: Gabriele Stabile, petition c 92–granted c 98

Northampton Street.

sidewalk: Arthur Cole, petition c 93–granted c 98

Northern Avenue Bridge.

fender guard: communication from the acting mayor transmitting communication from the acting secretary of war, placed on file c 278

public landing: notice from directors of port of hearing on petition c 537

Northern Avenue and Sleeper Street.

appropriation: communications from the mayor and commissioner of public works with order to transfer $564.71 from appropriation for reserve fund to said appropriation, referred to executive committee c 209–report, accepted, order passed c 222

Norton, Kate.

petition, compensation for damage, Lawn st., by overflow Stony brook c 211

Norway Street.

sidewalk: Purcoxia Company, petition c 515–granted c 526

Oak Grove Farm Creamery Company.

petition, compensation for damages to wagon and merchandise by fire engine c 485

Oak Square.

fire station: *see* Fire Department

O'Brien, Agnes.

petition, compensation for damages, Webster st. c 333

O'Brien, J. W.

sidewalk, Perkins st., petition c 334–granted c 336

O'Brien, Joseph L., Mrs.

petition, compensation for damages by overflow of sewer, Lauriat ave. c 372

O'Brien, William H., President of Central Labor Union.

appeared at hearing on street lighting c 129

Ocean Street, Ward 24.

sidewalk: order for construction, passed c 171

O'Connell, Cardinal William H.

order that committee be appointed to draft suitable resolutions in recognition of honor that has come to Boston through the elevation of his Eminence, passed, committee appointed c 562; order to close certain streets in connection with arrival from Europe, passed c 568; resolutions of congratulation on elevation to rank of Cardinal of the Roman Catholic Church, adopted c 568; order that copy of resolutions be engrossed and incased, etc., passed c 56

O'Connell, Ella.

petition, compensation for damage to clothing by oil c 443

O'Connell, Mary.

petition for hearing on claims for injuries c 307

O'Donnell, James.

petition, compensation for personal injuries c 123

Officials Paid by Fees.

appointed c 116-118–confirmed c 123

O'Hearn, P.

sidewalk, Dorchester ave., petition c 212–granted c 223

Old Colony Railroad Company.

land taken for depot and station purposes, Neponset: petition that limits be prescribed within which land may be taken c 12–order for hearing c 66–hearing c 88–report, with preambles and order, accepted, passed c 99

order of notice of hearings: on limits prescribed on taking of land for railroad purposes c 123–taken up, referred to executive committee c 153; amendment to petition relative to taking of land of Sarah L. Pope heirs c 163–report, with preambles and order, accepted, passed c 185

taking of land: plan and description of two parcels of land, Butler and Huntoon sts. was filed with city clerk, placed on file c 307

Old Colony Street Railway Company.

common carrier: order for hearing on petition to operate as common carrier c 179–hearing, referred to executive committee with instructions to give hearing to petitioners c 214–report and order accepted, passed c 247

location:

WALK HILL ST.: temporary addition to location c 63

purchase: notice of approval of purchase by Boston & Northern Street Railway Company c 261

tracks, Neponset ave.: notice from railroad commissioners of approval c 308–notice of hearing on petition c 308

Old Court House.

portico: order that art commission send opinion as soon as convenient, passed c 351; communications from the mayor and art commission, referred to committee on Governor's Island c 377; communication from the mayor transmitting order for $5,000 transfer from reserve fund to appropriation for removing and preserving portico, referred to executive committee c 332–report, accepted, order rejected c 459; communication from the mayor transmitting report of special committee, referred to executive committee c 406–placed on file c 459

removal of departments: *see* Public Buildings Department

Old South Association.

managers: W. L. Collins, Walter Ballantyne, elected c 54

Olney Street.

sidewalk: order for construction, passed c 428

O'Neil, Dennis A.

petition, compensation for injuries to horse c 35

Orchard Park.

improvements: order that the mayor be requested to recommend the transfer of the balance of appropriation of Parkman fund to special appropriation for improvement of park, passed c 458

Order of Business.

rules relating to c 45

Ordinances.

committee: appointed c 48

amendment to Revised Laws: *see* Public Works Department

building limits, Hyde Park: *see* Hyde Park

building limits, public hearing: *see* Building Limits

care of shade trees: *see* Public Grounds Department

changing of fire lines: *see* Fire Department

children in business section after 9 p. m.: *see* Curfew

children on streets: *see* Curfew

coal holes: referred to executive committee c 556–report, referred to next government c 568

Consumptives' Hospital: *see* Consumptives' Hospital Department

extended use of school buildings: *see* School Department

extension of building limits: *see* Building Department

Ordinances, *continued.*

fees for permits: *see* Fees for Permits

firearms, fees for: *see* Firearms, Fees for

height of firemen: *see* Fire Department

keeping of fowl: c 429

keeping of garbage: *see* Garbage

memorial, Faneuil Hall: *see* Faneuil Hall

ordinance relative to public works: *see* Public Works Department

park and recreation department: *see* Consolidation of Departments

parks and public grounds: *see* Parks and Public Grounds

piling and covering of refuse barrel: *see* Garbage

printing of city documents: *see* Printing Department

prohibition of hospitals, Roxbury: ordinance relative to use of portion bounded by Walnut ave., Crawford and Waumheck sts. and Humboldt ave. for hospital purposes, referred to committee on ordinances c 316–report, no action necessary c 585

removal of ashes: *see* Public Works Department

removal of refuse by public works department: *see* Public Works Department

removal of store dirt: *see* Public Works Department

reprinting: order that the city clerk be instructed to have 300 copies printed of Document 47, passed c 463

sauntering and loitering on streets: report on ordinance (referred last year), that same ought not pass, assigned c 170–taken up, discussed c 180-182–ordinance rejected c 182

statues, etc., Faneuil Hall: *see* Faneuil Hall

storage of gasolene, fees: *see* Fees for Coal Hole Opening, etc.

street parades: *see* Street Parades

swimming pool, Parker Hill: *see* Parker Hill.

unfinished business: referred from last year (list given) c 14

use of firearms: ordinance amending section 94 of chapter 47, referred to committee on ordinances c 526–referred to executive committee c 556–report, with ordinance, accepted, passed c 565

use of towels: ordinance relative to, referred to committee on ordinances c 398–report, recommending reference to next government c 557

O'Rourke, John A.

petition to be paid amount of expenses in suit brought against him as an officer c 515–granted c 580

Otisfield Street.

sidewalk: Nathan Fritz, petition c 334–granted c 336

Overseers of the Poor. (*See* Poor, Overseeing of the, Department.)

Page, A. A.

sidewalk, Norfolk st., petition c 307–granted c 319

Page, James M.

communication from the acting mayor transmitting order to provide pension, referred to executive committee c 259–report, no further action necessary c 336

Parades. (*See* Street Parades.)

Paris Street.

sidewalks: S. Lishner, petition c 307–granted c 319; T. J. McCarthy, petition c 334–granted c 336

Park Department.

commissioner: Robert S. Peabody, appointed c 71–notice of approval by civil service commission c 94

appropriation for Columbia rd. assessment: *see* Columbia Road Assessments

Park Department, *continued.*

appropriation, zoo: communications from the mayor and park commissioners relative to, giving estimate of cost, referred to committee on Parkman fund c 234, 235–report, with order to expend $49,200 under direction of park commissioners, accepted, passed c 249; communication from the mayor transmitting order for an appropriation of $97,150, passed c 317; communications from the mayor and park commissioners transmitting order appropriating $24,000 from Parkman fund c 295, 296–referred to committee on Parkman fund c 296–report, assigned, opinion of corporation counsel requested c 374

building of zoo: order that the park commissioners be requested to consider the advisability of employing men in department for erection of buildings, etc., discussed c 143, 144–referred to executive committee c 144–report, no further action necessary c 459

consolidation with bath, music and public grounds departments: *see* Consolidation of Departments

day off for picnic: order to allow, August 3, passed c 243

Fens, improvement: communication from the mayor transmitting order for transfer of $17,250 from reserve fund to special appropriation, passed c 247

improvements, park system: communication from the mayor transmitting a letter from park commissioners giving a list of estimates for desirable improvements c 91-93–referred to committee on finance c 93–report, placed on file c 419

lighting of playgrounds: order that park commissioners furnish estimate of what it would cost to properly light playgrounds, etc., discussed c 243, 244–amended, passed c 244; communication from the mayor transmitting communication from the park commissioners relative to, placed on file c 303

money expended on Charlesbank: *see* Charlesbank

needs of various parks and squares: communication from the mayor transmitting communication from the park commissioners, indicating various needs of different parks and squares c 296, 297; order for transfer of $15,000 from Parkman fund, referred to committee on Parkman fund c 297–report, accepted c 446

opening of aquarium and zoo: communication from the mayor and park commissioners transmitting statement of funds appropriated and statement of funds needed, etc. c 453, 454–referred to committee on Parkman fund c 454–report c 446

park and recreation department: report, referred to next government c 584

park wall, Seaver st.: communication from the mayor and park commissioners relative to, referred to executive committee c 306

picnic: order that employees be allowed day off July 27, passed c 249

plans for aquarium and zoological garden: communication from the mayor transmitting communication from the park commissioners relative to, referred to committee on Parkman fund c 82–report, accepted, order passed c 525

playground, Ward 9: *see* Playground, Ward 9

playground improvements: communication from the mayor transmitting order for transfer of $12,750 from reserve fund, passed c 252

policing public grounds: report (referred last year) on communication concerning, no further action necessary c 170

public landing, Walnut st., Ward 24: *see* Walnut Street, Ward 24

release of restrictions, South st.: communications from the mayor, park commissioners and Patrick J. Brady relative to c 561, 562; order releasing restrictions, referred to committee on public lands c 562–report, no action necessary c 450; remonstrance of Joseph J. Lannin *et al.*, against removal c 577

sale of land, Chestnut Hill park: communication from the park commissioners requesting authority to sell land c 253, 254; order giving authority to sell land, referred to executive committee c 254–report, referred to committee on public lands c 268

seats: communication from the mayor transmitting order for an appropriation of $3,000 for purchase of seats for public parks, referred to committee on Parkman fund c 149–report, accepted, order passed c 179

transfer, Marine park sanitary accommodations: *see* Marine Park

Park Square Real Estate Trust.

extension of Arlington st.: *see* Arlington Street

Park Street, Dorchester.

regulating: order to regulate from Dorchester ave. to Geneva ave., passed c 151

sidewalk: order for construction, passed c 151

Park Street, Ward 23.

poles: New England Telephone and Telegraph Company, erection and removal, granted c 192

sidewalk: order for construction, between Anawan and Clement aves., passed c 151; communication from the mayor vetoing order, placed on file c 187; order for construction, between Anawan avenue and Clement ave., passed c 319

Park and Corey Streets.

sidewalks: Hosford & Williams, petition c 279–granted c 283

Park Street and Neponset Avenue.

easements on land between: *see* Public Lands

Parker Hill.

fire protection: *see* Fire Department

swimming pool: Parker Hill Improvement Association, petition that reservoir be converted into; order that park and bath commissioners consider advisability of establishing, passed c 281; communications from the mayor and commissioner of public works, referred to executive committee c 295; communication from the mayor relative to; ordinance transferring care and control to park commissioners, referred to committee on ordinances c 484–report, accepted, ordinance passed c 557

Parker Hill Improvement Association.

petition that reservoir be converted into a swimming pool; order that park and bath commissioners consider advisability of establishing, passed c 281; communications from the mayor and commissioner of public works, referred to executive committee c 295

Parker Hill Reservoir.

bathing: order that the commissioner of public works be requested to estimate cost of transferring reservoir into bathing beach, passed c 262–report, placed on file c 320

Parker Street.

edgestones and sidewalks: Joseph Hendry, petition c 279–granted c 283

sidewalk: Matthew O'Donnell, petition c 93–granted c 98

Parkman Building.

communication from the mayor transmitting communications from John C. Kiley, National Red Cross agents and Society for the Preservation of New England Antiquities relative to sale and letting of buildings c 404, 405–referred to committee on Parkman fund c 405–report, with order relative to, accepted, passed c 459; communications from Charles Gibson, Clarence S. Ward *et al.* relative to preservation of house for historic purposes, referred to committee on Parkman fund c 407–placed on file c 458

Parkman Fund.

committee: order that committee be appointed to prepare a program for expenditure of income, passed c 46–committee appointed c 88

appropriation for improvements in small parks and squares: *see* Public Grounds Department

appropriation for public grounds: *see* Public Grounds Department

Charlestown parks and playgrounds, beautifying: *see* Charlestown Playgrounds

expenditure: communication from the mayor relative to, referred to committee on Parkman fund c 113–report, placeed on file c 446

expenditures for aquarium and zoo: communication from the mayor transmitting communication from United Improvement Association relative to, referred to committee on Parkman fund c 60

improvements, Orchard Park: *see* Orchard Park

matters referred last year: communication from the United Improvement Association relative to expenditure and improvements in small parks, etc., placed on file c 446; message of mayor relative to expenditures by public grounds and park departments c 446–report, no further action necessary c 446

money expended on Charlesbank: *see* Charlesbank

money for zoo: communication from the mayor transmitting communication from the park commissioners, with order for appropriation from income of Parkman fund, referred to committee on Parkman fund c 479–report, accepted, placed on file c 525

Parkman Fund, *continued.*

plans for aquarium and zoological garden: *see* Park Department

quarters for Spanish War veterans: communication from the mayor transmitting communication from the Roger Wolcott Camp, No. 23, asking that quarters be assigned them in said house, referred to committee on Parkman fund c 455; communications from the mayor and architect relative to, placed on file c 434

seats for public parks: *see* Park Department and Public Grounds Department

soil renovation, Boston Common: *see* Public Grounds Department

statement of expenses and money needed for aquarium and zoo: *see* Park Department

Parkman House.

rooms: United Improvement Association, petition to be allowed c 547

rooms for school committee: order that the treasurer convey to school committee for office purposes at a net price, $70,000, provided they maintain a front, ground floor room as a suitable memorial, referred to committee on Parkman fund c 589, 590

Parkman Memorial Tablet.

communication from the mayor transmitting order that art commission be authorized to place memorial tablet on home of the late George Francis Parkman, etc., referred to executive committee c 479–report, accepted, order passed c 508

Parks and Public Grounds.

message of mayor and communication from police commissioner relative to amendment to ordinance, taken up, referred to committee on ordinances c 14

Patriots' Day.

closing of streets: order that police close to travel, passed c 74

Peabody, Robert S.

appointed park commissioner c 71–notice of approval by civil service commission c 94

Penal Institutions Department. (*See, also,* Institutions Department.)

commissioner: notice of interest of Fred S. Gore in paving contract c 212, 238

claim of Lorenzo D. Perkins: *see* Perkins, Lorenzo D., or Claims

improvements at Deer Island: communication from the mayor transmitting communications from penal institutions commissioner, division engineer and architect relative to c 233, 234–referred to committee on finance c 234–report, referred to executive committee c 261–report, no action necessary c 450; communication from the mayor transmitting order for an appropriation of $41,700 c 316–passed c 317

interest of commissioner: notice from commissioner of interest in Fred S. & A. D. Gore Corporation c 192

one day in seven: order that commissioner be requested to grant employees one day off in seven, referred to executive committee c 281–report, accepted, order passed c 284

plans, etc., power station: order that the mayor be requested to furnish the city council with all plans, figures, etc., regarding central power station, passed c 567; communication from the mayor transmitting communications from the penal institutions' commissioner and various documents relating to proposed power station c 571–577–placed on file c 577

time off for penal employees: order to give all employees at Deer Island one day off in seven, referred to executive committee c 147–report, accepted, order passed c 173

Pensions. (*See, also,* Laborers, Retirement Act and Public Works Department.)

order that the finance commission be requested to report the advisability of accepting chapter 619 of Acts of 1910 relative to retirement system

Pensions, *continued.*

and pensions, passed c 172; order that heads of departments and mayor report as to the operation of act and as to the cost, etc., passed c 172; communication from the mayor relative to, with order appropriating amount necessary to provide pensions for such employees of water service of sewer and water division of public works as may be entitled to them, and that same be charged to reserve fund, referred to executive committee c 306–report, accepted, order passed c 320; cost of system to city c 382; effect on service c 382; positive gain c 382; net gain or loss c 382

Per Capita Cost of Fire Department.

c 301, 302

Perkins, Lorenzo D.

report and order to pay $500 for expenses of suit brought against him while employed at House of Correction, accepted, order assigned c 179–taken up, passed c 202

Perkins Street.

sidewalk: J. W. O'Brien, petition c 334–granted c 336

Perkins Street Playground.

roping off: order to rope off June 17 for athletic games, passed c 222

Perlmuter, Louis.

petition, compensation for damages on Bennington st. c 485

Permits, Fees for. (*See* Fees for Permits.)

Perry, R. J.

sidewalk, Norfolk st., petition c 307–granted c 319

Peter Parley Road.

sidewalk: Mrs. C. Smith, petition c 372–granted c 373

Peterborough Street.

restrictions on land: report on order for release (referred last year), accepted, passed c 243–taken up, passed c 282

sidewalks: Canton & Altman, petition c 133–granted c 146; Dinan & Rosenburg, petition c 457–granted c 473

Peters Street.

sidewalks: M. A. McDonald, petition c 456–granted c 473

Phalen, Joseph, Mrs.

petition, compensation for injuries by fire apparatus c 212

Philadelphia Planning Exhibition. (*See* City Planning Exhibit.)

Phillips, Wendell.

communication from the mayor requesting the city council to take some steps to commemorate the life and works of this distinguished Bostonian, referred to executive committee c 455–report, accepted, placed on file c 473; order that mayor confer with art commissioners relative to memorial, passed c 458

Picnics, Day Off for.

order to grant holiday without loss of pay to employees on day of annual picnic, passed c 281

Pilgrim Congregational Church.

petition for paving in front of church, Columbia rd. c 119–order to pave, passed c 119

Plans of Boston Elevated, Changes in Structures. (*See* Boston Elevated Railway Company.)

Plant, Municipal Lighting. (*See* Municipal Lighting Plant.)

Playground, Fellows Street. (*See* Fellows Street Playground.)

Playground, Forest Hills.

report, that same be placed on file c 508

Playground, Fremont Avenue. (*See* Fremont Avenue Playground.)

Playground, Jamaica Plain.

petition of Thomas Sherwin *et al.* c 87; order to hire the Goodwin estate on Carolina ave., etc., passed c 384–report, placed on file c 419; communication from the mayor vetoing order, referred to executive committee c 438–report, placed on file c 450

Playground, Mattapan.

order that the superintendent of public grounds be authorized to hire the Woodman Jones estate on River st., etc., passed c 143; communication from the mayor with order for transfer of $25,000 from the reserve fund to special appropriation for playground, referred to executive committee c 484, 485–report, discussed c 525, 526–accepted, given first reading and passage c 526–taken up, given second and final reading c 548

Playground, Neponset. (*See* Neponset Playground.)

Playground, Parker Hill.

transfer of appropriation: *see* Playground Accommodations, Ward 19

Playground, Policing of.

order that the mayor be requested to consider advisability of an appropriation to provide for proper policing, amended, passed c 399

Playground, Roxbury Crossing. (*See* Roxbury Crossing Playground, also Playground, Ward 19.)

Playground, Strandway. (*See* Strandway Playground.)

Playground System.

communication from the mayor relative to extension, referred to executive committee c 122–report, referred to committee on finance c 125

Playground, Ward 2.

communication from the mayor transmitting order for transfer of $50,000 from reserve fund, referred to executive committee c 235–referred to committee on finance c 246–report, referred to executive committee c 419–laid on table c 462–taken up, given first reading and passage c 473–taken up, given its final reading c 489, 490; order for loan of $50,000 for playground accommodations, referred to executive committee c 465–report, accepted, order rejected c 473

Playground, Ward 5.

report on order referred last year recommending passage of order for loan of $80,000, accepted, given first reading and passed c 164–given second reading, passed c 194

Playground, Ward 7.

communication from the mayor transmitting order for transfer of appropriation for Wards 7 and 9 to Ward 7, referred to executive committee c 233–referred to committee on finance c 246–report, referred to executive committee c 419; communications from the mayor and park commissioners relative to, referred to executive committee c 438–report, that same be placed on file c 450–report, accepted, order given first reading c 450–taken up, given final reading, passed c 458

Playground, Ward 9.

order that park commissioners be requested to secure vacant land, Genesee st., as a public playground, passed c 183

Playground, Ward 13.

appropriation: message of mayor relative to (referred from last year), referred to committee on finance c 14–report, no further action necessary c 418; communication from finance commission (referred last year), placed on file c 459

Playground, Ward 17, William Eustis.

order that park commissioners order shower baths to be kept open until ten o'clock p. m., passed c 214; order that land adjoining on Shirley st. be transferred to park commissioners and laid out as a playground for children, referred to committee on public lands c 215; Thomas J. Melvin *et al.*, petition for improvements c 242–report, placed on file c 418

Playground, Ward 19.

order that park commissioners be requested to give a public hearing on question of location c 97; communication from the mayor transmitting order for transfer of $40,000 from the reserve fund, referred to executive committee c 233–referred to committee on finance c 246–report, no further action necessary c 418; communication from the mayor relative to, with order transferring $60,000 for Parker Hill playground to appropriation for playground accommodations, Ward 19, referred to executive committee c 302, 303–report, accepted, discussed c 320, 321–accepted, passed c 321–taken up, given final reading and passage c 338; communication from the mayor relative to playground, Roxbury Crossing, and requesting an additional appropriation c 349–report, no further action necessary c 418; communication from the mayor transmitting order to transfer $40,000 from reserve fund, discussed c 397, 398–order given first reading and passage c 398–taken up, discussed c 415-417–assigned c 417–taken up, discussed c 446-448–passed c 447–reconsideration lost c 448; order that finance commission be requested to make an investigation of playground, discussed, passed c 463; order that wording of order be changed to read Parker Hill and Mission Church, withdrawn, resolution relative to, adopted c 507

Playground, Ward 20.

report on order (referred last year) for loan of $50,000 for playground purposes, discussed c 164-166–read once, passed c 166–given second reading, passed c 194

Playground, Ward 23.

buildings: order that the committee on finance include in the first loan bill $10,000 for lockers, buildings, etc., referred to committee on finance c 95–report, referred to executive committee c 419–report, no further action necessary c 418; communication from mayor transmitting order for transfer of $25,000 from the reserve fund, referred to executive committee c 371–report, accepted, order given first reading c 509; communication from the mayor with order for transfer of $15,000 from reserve fund for purchase of playground, referred to executive committee c 482–report, accepted, order passed c 508–taken up, given second and final reading, passed c 539

Playground, Ward 25.

taken up, given second and final reading c 539–report, accepted, referred to next government c 569

Playgrounds, Charlestown. (*See* Charlestown Playgrounds.)

Playgrounds, Lighting of. (*See* Park Department.)

Playgrounds, Purchase of.

report, placed on file c 419

Playgrounds, South Boston.

communication from the mayor transmitting order for transfer of $2,000 from reserve fund to appropriation for West Third street playground and $2,000 for Fifth street playground, passed c 248

Pleasant Street.

sidewalks: A. R. Gilliland, petition c 93–granted c 98; Daniel J. Daly, petition c 191–granted c 203; W. Duff, petition c 212–granted c 223; W. J. Grosvenor, petition c 307–granted c 319

tree: order to remove in front of No 147, passed c 222

widening: communication from the mayor transmitting petition signed by business men, asking that chapter 591 of Acts of 1911 be accepted, ordered printed, referred to executive committee c 363–report, with order, accepted, passed c 450

Pleasure Crafts on Charles River. (*See* Metropolitan Park Commission.)

Plumbers Association, Local 175.

communication relative to investigation of building department c 355

Police.

appointment of policemen: report, placed on file c 222

closing streets: order to close April 8 and April 19, passed c 74: *see* names of streets

railroad police: c 53, 150

signal boxes:

HUNTINGTON AVE.: granted c 238

MAIN ST.: c 7

Police Station, South Boston. (*See* South Boston.)

Pond Street, corner Centre Street, Ward 22.

sidewalk: Hyman Rambach, petition c 178–granted c 184

Poole, Nellie M.

petition for hearing on claim c 86

Poor, Overseeing of the.

overseers of the poor: Franklin P. Daly, appointed c 119–confirmed by civil service commission c 134; Simon E. Hecht, appointed c 134–notice of approval by civil service commission c 150

Poplar and Corinth Streets.

sidewalk: F. D. Rand, petition c 372–granted c 373

Port of Boston.

resolve, that it is the opinion of the city council that the advancement of the commercial interests of the port of Boston require that the restrictions upon the loan of $3,000,000 for the development of land owned by the commonwealth be removed, etc., discussed c 78, 79, 80–passed c 80

Port Directors.

hearings:

BOSTON HARBOR: notice of hearing on petition of George C. Fitzpatrick to build a pile structure c 515; Boston, Revere Beach & Lynn Railroad Company, petition to build pier c 547

CHELSEA CREEK: George T. Rendle, petition to build wharf and bulkhead c 486; Standard Oil Company, petition to build bulkhead, etc. c 486; Boston Elevated Railway Company, petition to maintain two submarine cables c 486; George T. Rendle, petition, license to build pile wharf c 578

DEER ISLAND: City of Boston, petition, license to construct fender piers c 578

EAST BOSTON: Lockwood Manufacturing Company, petition to build bulkhead and fill solid c 486

MYSTIC RIVER: Edith A. Richards, petition to extend wharf c 486

NORTHERN AVENUE BRIDGE: notice of hearing c 573

Posner, A.

petition, compensation for injuries to daughter by city cart c 12

Potter, H. Staples.

notice of use of building, Commonwealth ave., for storage of explosives c 30

Potter, Mrs.

petition, compensation for personal injuries c 237

Potts, John E.

notice of approval by civil service commission of appointment as Consumptives' Hospital trustee c 35

Powell, F. G.

sidewalk, Washington st., petition c 372–granted c 373

Pratt, Laban.

sidewalk, Taylor st., petition, c 334–granted c 336

Precedent for Pension Act.

c 302

Precinct Lines, Ward 20. (*See* Election Department.)

Preservation of New England Antiquities, Society of.

Antiquities, Society of, communication relative to Parkman building c 404, 405

President of City Council. (*See, also,* City Council.)

rules relating to c 44

Pressure Lighting Company's Offer.

c 137

Prezinso, Vincent, & Co.

petition, compensation for damages by city employees at 124 Prince st. c 191

Priest, John T.

elected city clerk c 5

Prince Street.

sewer claim: *see* Slattery Estate or Claims, *also* Prezinso, Vincent, & Co.

Prince Street Playground.

improvements: communication from the mayor transmitting order for transfer from the reserve fund, $3,000, to special appropriation for improvements, referred to executive committee c 227, 228–report, accepted, order passed c 246

Princeton Street.

sidewalk: Frank Macellano, petition c 191–granted c 203

Printing Department.

committee: appointed c 48

garbage reports: *see* Garbage, Disposal of

printing of documents: ordinance relative to, referred to committee on ordinances c 96–report, accepted, ordinance passed c 124

statutes, distribution of: order that from the balance of the edition, now in custody of city messenger, 1,000 copies be set aside for distribution under the direction of the committee on printing, the remaining copies to be sold, etc., referred to executive committee c 465–report, accepted, order passed c 473

Prisons.

committee: appointed c 48

report: of committee c 579, 580–accepted, ordered printed c 580

transportation of prisoners: order that the committee on prisons be requested to investigate methods of transportation of prisoners from Brighton courthouse to Deer Island boat or Charles street jail, discussed c 386, 387–referred to committee on prisons c 387–report, accepted, referred to committee on county accounts c 449

Probate Indexes. (*See* County of Suffolk.)

Probation Officers. (*See* County of Suffolk.)

Promulgation of Thirty-eighth Amendment to Constitution.

placed on file c 487

Promulgation of Thirty-ninth Amendment to Constitution.

placed on file c 487, 488

Providence Street.

release of restrictions: communication from the mayor transmitting communication from Charles S. Rackemann petitioning for release of restrictions c 122, 123; order authorizing execution of release, referred to committee on public lands c 123; Charles S. Rackemann, petition for release of land c 134–report, no furtber action necessary c 243; *see* Public Lands

widening: communications from the mayor and street commissioners with order for loan of $25,000, referred to committee on finance c 350–report, that order ought not pass c 419

Public Buildings Department.

appropriation, Vine st. building: communication from the mayor transmitting order for transfer of $3,000, passed c 316

care of public records: communication from the mayor transmitting communication from the commissioner of public records relative to c 50, 51–placed on file c 51

City Hall Annex: *see* City Hall Annex

cost of library building, East Boston: *see* Library Department

Curtis Hall opening: *see* Curtis Hall

custody of building, Blossom st.: *see* Bath Department

egress, city buildings: communication from the building commissioner relative to, referred to executive committee c 178

elevator service, City Hall: order to instruct the superintendent of public buildings to cause elevators to be run as formerly, etc., passed c 203

extended use of school buildings: communication from the mayor transmitting correspondence relative to; order that $13,000 be transferred from appropriation for reserve fund to said appropriation, referred to executive committee c 210–report, opinion of corporation counsel c 257, 258–laid on table c 258–taken up, laid on table c 263–taken up, referred to committee on ordinances c 375; communications from the finance commission and tbe mayor relative to c 412, 413–referred to committee on ordinances c 413; communication from the mayor transmitting ordinance creating a department for extending use of schools, and order transferring $13,000 from appropriation for reserve fund, referred to committee on ordinances c 371, 372–report, no further action necessary c 557

fire escapes: communication from the mayor transmitting communication from the superintendent of public buildings giving buildings where fire escapes are necessary and estimates of cost, referred to executive committee c 114–report, referring to building department, accepted c 125–report, no action necessary c 450

municipal building, Ward 7: *see* Municipal Building, Ward 7

protection of paintings: order tbat tbe superintendent of public buildings be requested to take necessary steps to provide proper protection of paintings now bung in Faneuil Hall, passed c 66

quarters, East Boston Court: communications from the mayor and superintendent of public buildings submitting order for transfer of $2,200 from reserve fund to a special appropriation for temporary quarters, referred to executive committee c 482–report, accepted order passed c 508

Public Buildings Department, *continued.*

removal of departments in Old Court House: communications from the mayor and superintendent of public buildings, with order for transfer of $17,000 from reserve fund, referred to executive committeec 204–report, accepted, order passed c 222

sale of desks, Hyde Park: *see* Hyde Park, Board of Selectmen

scrubwomen: communication from the mayor transmitting communication from the superintendent relative to, referred to executive committee c 186–report, accepted, order passed c 202; resolution relative to, discussed c 171, 172–adopted c 172

target practice: communication from the acting superintendent of public buildings transmitting order authorizing the furnishing of the necessary facilities for target practice for the Massachusetts Voluntecr Militia, referred to executive committee c 132–report, accepted, order passed c 146

Public Garden.

boats: *see* Public Grounds Department

Public Grounds Department.

benches, Belmont square park: *see* Belmont square Park

appropriation for convenience stations, etc.: communication from the mayor transmitting order for appropriation of $25,000 from Parkman fund to be expended for convenience stations, bubble fountains, etc., discussed c 441-443–passed c 443, 446

appropriation for improvements: communications from the mayor and superintendent of public grounds requesting appropriation; order that $25,000 be appropriated from the income of the Parkman fund, discussed c 359, 360–referred to committcc on Parkman fund c 360

appropriation for small parks: communication from the mayor transmitting order for transfer of $20,000 from Parkman fund, referred to committee on Parkman fund c 398

boats on Public Garden: order that tbe superintendent of public grounds purchase and operate at cost swanboats and rowboats, referred to executive committee c 119

care of shade trees: ordinance concerning, taken up, referred to committee on ordinances c 14–report, accepted, ordinance passed c 261

consolidation: *see* Consolidation of Departments

moth nests: communication from the mayor transmitting communication from the superintendent of public grounds requesting an appropriation of $85,000, referred to committee on appropriations c 59

moths: communication from the mayor transmitting communication from superintendent of public grounds relative to appropriation of $15,200, referred to committee on appropriations c 70–report, no further action necessary c 110; communication from the mayor transmitting order for an appropriation of $25,000 c 316–passed c 317

Mt. Vernon st., Dorchester: *see* Mt. Vernon Street, Dorchester

planting shade trees: order that committee on ordinances draft an amendment to ordinances providing that when a pole is removed a shade tree be planted, passed c 262

planting trees, Commonwealth ave.: *see* Commonwealth Avenue

River st., Mattapan: order to remove tree in front of No. 113, passed c 474

seats: communications from the mayor transmitting communication from the superintendent of public grounds relative to seating accommodations with order for transfer of $4,000 for purchase of seats, referred to committce on Parkman fund c 149–report, accepted, ordcr passed c 179

subsoil irrigation, Boston Common: *see* Subsoil Irrigation, Boston Common

swanboats: report, accepted, discussed c 146, 147–accepted, order rejected c 147

transfer of land, Blue Hill ave. and Seaver st.: *see* Blue Hill Avenue and Seaver Street

transfer of land, Elm Hill ave.: *see* Elm Hill Avenue

trees: communication from the mayor transmitting order for an appropriation of $20,000, passed c 317

MAGNOLIA ST.: *see* Magnolia Street

WASHINGTON ST., CHARLESTOWN: order to replace trees, passed c 65

trees in parks, Charlestown: order that the superintendent of public grounds submit estimate of cost of setting out trees in Training field, City sq., Sullivan sq. playground, Charlestown Heights, passed c 154

Winthrop sq., Training Field, seats: *see* Training Field, Winthrop sq.

Public Health and Hospitals.

communication from the mayor relative to c 9

Public Lands.

committee: appointed c 48

abandonment of land and easement, May st., West Roxbury: communication from the mayor and commissioner of public works, with order for abandonment and easement, referred to committee on public lands c 9–report, accepted, order passed c 98–taken up, read once, passed c 124

Chestnut Hill: report with order in new draft, accepted, discussed c 290, 291–amended, passed c 291–laid on table c 321; communication from H. A. Wilson, trustee, protesting against sale, referred to committee on public lands c 351; taken from table, referred to committee on public lands c 351–report, assigned c 365; protest of residents against sale, referred to committee on public lands c 351; taken up, accepted, order rejected c 394

First Parish, Dorchester: petition, confirmation of title to real estate c 547

land, Common and Warrenton sts.: message of mayor and order to release to J. H. Mann land taken for school purposes, taken up, referred to committee on public lands c 14–report, accepted, order passed c 98–taken up, read once, passed c 124; report, with order in new draft, accepted, given first reading and passage c 556–taken up c 578–given final reading and passage c 579

land, Gibson st.: taken up, given final reading, passed c 282

land, Shirley st., for playground: *see* Playground, Ward 17, William Eustis

purchase of Helping Hand Home, Roxbury: communication from the mayor transmitting communication from George F. Wentworth relative to purchase of property as addition to Highland park c 348, 349–referred to committee on public lands c 349

release, Austin st., Milton: *see* Lawton, Charles

release of city's right:

Austin st. and Brook rd.: Mattapan Associates, petition c 486

Blue Hill ave.: J. B. L. Bartlett, petition c 486

Seymour rd., West Roxbury: Albert C. Smith, petition c 486

release of easements, Park and Neponset aves., Dorchester: communications from the mayor and commissioner of public works with order relative to, referred to committee on public lands c 330–preamble and report, accepted, order passed c 556–taken up, given final reading and passed c 578

release of land: communication from the mayor transmitting opinion of corporation counsel and E. G. Richardson, assessor, relative to value of strip of land from Norfolk ave. to Massachusetts ave.; order to release to Boston College trustees all city's interest in said land, referred to executive committee c 191–report, accepted, order read once, passed c 202–taken up, given final reading, passed c 281, 282

release of restrictions, Providence st.: *see* Providence Street

release of restrictions, South st. and Arborway: communication from the mayor transmitting communication from the park commissioners, with order releasing restrictions on lot of land, South st., referred to executive committee c 51

release of rights in land of New York, New Haven & Hartford Railroad, Church st.: *see* New York, New Haven & Hartford Railroad Company

restrictions, Peterborough st.: *see* Peterborough Street

restrictions on land, Boylston and Providence sts.: communication from the mayor with order for release of restrictions, referred to committee on public lands c 206–report, discussed c 242, 243–referred to executive committee c 243–report, assigned c 247; Charles S. Rackemann, petition for release c 134; report, no further action necessary c 258

restrictions on land, Fenway: communication from the city conveyancer relative to amendment of restrictions on land of heirs of Albert W. Nickerson, referred to committee on public lands c 35; communication from the mayor and real estate appraiser John C. Kiley relative to restrictions; order amending restrictions referred to committee on public lands c 485–report, with order in new draft, accepted, read once, passed c 556

sale of land, Chestnut Hill park: *see* Park Department

sale of land, Gibson st. and Dorchester ave.: *see* Gibson Street and Dorchester Avenue

sale of property, Common and Warrenton sts.: communications from the mayor and real estate appraiser John C. Kiley relative to sale of property taken for High School of Commerce, etc.; order authorizing sale c 481, 482–referred to committee on public lands c 482

transfer of land, Elm Hill ave.: *see* Elm Hill Avenue

Public Lands, *continued.*

transfer of land, North Grove st.: *see* Massachusetts General Hospital

unfinished business: referred from last year (list given) c 14

Public Recreation League of Boston.

communication relative to public recreation department, referred to committee on ordinances c 372, 373–report, placed on file c 556

Public Works Department.

amendments to ordinance: communication from the mayor transmitting communication from the corporation counsel relative to ordinance; ordinance to amend chapter 47 of revised ordinances 1898, referred to committee on ordinances c 370

annuity for widow of Patrick Burke: order to pay widow annuity of $300, referred to executive committee c 243–report, accepted c 268

annuity for widow of Michael J. Coyne: *see* Coyne, Michael J.

annuity for widow of G. Donaghue: report, with order authorizing payment of $500, accepted, passed c 462

appropriation, Fourth street bridge: communication from the mayor transmitting order for transfer of $7,000, referred to executive committee c 304–report, accepted, order passed c 320

bathing, Roxbury reservoir: *see* Parker Hill Reservoir

building of artificial sidewalks, abutters: order that no lien order providing for the construction of sidewalks be passed unless petition is signed by majority of abutters on the street, or until notice is sent abutters, passed c 508–report, accepted, order passed c 508

chapter 47, revised ordinances: report, with ordinance in new draft c 422, 423–accepted, passed c 423

claims, sidewalk assessment: order to pay Lucy E. N. Bumpus overcharge on sidewalk assessment, passed c 55

collection of garbage, North End: order that the mayor request sanitary department to report as to whether the law is being enforced in regard to collection of garbage, passed c 244; communication from the acting mayor transmitting communication from the commissioner of public works, referred to executive committee c 260–report, that same be placed on file c 268–order that the commissioner of public works be requested to report as to whether garbage is collected in the North End, passed c 269

footbridge, Dover st.: *see* Dover Street

gas mantles, loan: order that $300,000 be appropriated by loan for purchase and installation of gas lamps and mantles, referred to committee on finance c 170–report, laid over, taken up, given first reading and passage c 179–taken up, given second reading, passed c 213, 214

half holiday: order to allow half holidays on Saturdays to all employees whose services can be dispensed with, referred to executive committee c 73–report, accepted, discussed c 75-77–amended, passed c 77

household refuse: order that the commissioner of public works restore the time for placing of refuse on the streets, discussed c 157, 158–passed c 158

ice for drinking fountains: order to expend $5,000 for ice for public fountains, referred to executive committee c 173–report, accepted, discussed c 173, 174–order passed c 174

incinerator, Brighton: report, referred to executive committee c 419–report, accepted, referred to next government c 590

land for city yard, East Boston: communication from the mayor transmitting order for loan of $30,000 for purchase of wharf property, Condor st., referred to committee on finance c 536–report, accepted; order rejected c 549

loan for sewerage works: communication from the mayor transmitting order for loan of $300,000, referred to committee on finance c 51–report, with order for loan of $250,000, accepted, given first reading and passage, going over for fourteen days c 120–taken up, given final reading and passed c 141; communication from the mayor transmitting order for loan of $400,000 for construction of sewerage works, referred to committee on finance c 209, 210–report, accepted, order rejected c 261–taken up, given final reading, passed c 261; order that $395,000 be appropriated by loan for sewerage works, Charles river basin, etc., given first reading and passage c 335–given final reading, passed c 364

needs of different departments: communication from the mayor transmitting report from commissioner of public works upon requests and suggestions affecting his department c 188-190–referred to committee on finance c 190–report, placed on file c 419

Public Works Department, *continued.*

payment of petty bills: order to allow Walter E. Swan $500 for payment of petty bills, referred to executive committee c 46–report accepted, order passed c 46

pension: communications from the mayor and superintendent of streets recommending that Michael F. Edmonds, an inspector in the water service, be retired c 175. 176–order for retirement. referred to executive committee c 176–report. accepted. order passed c 184; communications from the mayor and commissioner of public works with order for retirement of James Martin and Patrick Dacy c 204, 205–referred to executive committee c 205–report, accepted, order passed c 222; communication from the mayor transmitting order to pension Benjamin F. Drown, a clerk in the water service, referred to executive committee c 259–report, no action necessary c 336; communication with order for pension for James M. Page, an inspector in the water service, referred to executive committee c 259–report, no further action necessary c 336

readjustment of water rates: order that the commissioner of public works consider advisability of a readjustment of water meter rates to consumers of less than 40,000 cubic feet c 543, 544–passed c 544

refuse, removal of: communications from the mayor and commissioner of public works transmitting ordinance defining the refuse matter to be removed by department c 325, 326–referred to committee on ordinances c 326–report, accepted, ordinance passed c 557

release of city rights, Dudley st.: communication from the mayor transmitting communication from the commissioner of public works relative to release of certain rights and easements as to laying of sewers, referred to executive committee c 231–taken up, passed c 280

release of easements, Dorchester: c 330

removal of ashes: Master Bakers' Cooperative Association, petition that ashes be removed without charge c 279

removal of store dirt: order that section 1, chapter 9, of Revised Ordinances, is hereby amended, discussed c 64, 65–referred to executive committee c 65–report, no further action necessary c 107

removal of waste: communication from the mayor transmitting amendment to ordinance relative to, referred to committee on ordinances c 68–report, substitute ordinance offered, rejected, amendment adopted, ordinance passed c 77

reopening of Charlestown sewer yard: communication from the mayor transmitting communication from the Charlestown Improvement Association relative to reopening sewer yard, referred to committee on appropriations c 59–referred to commissioner of public works c 110

sale of city horses: communications from the mayor and commissioner of public works relative to, authorizing sale, referred to executive committee c 58–report, accepted, order passed c 77

sidewalks: schedule of cost with order to assess and collect on Washington st., Ward 23, passed c 134; cost, with order to assess and collect, Rowena st. c 238

street parades: *see* Street Parades

tunnel, Jamaica Plain: communication from the mayor transmitting order for transfer of $20,000 from reserve fund to special appropriation, referred to executive committee c 232–report, accepted, order passed c 246

wharf, East Boston: order for loan of $30,000 for purchase of wharf, Condor st., referred to next government c 557

communications to city council:

Abandonment of land, May st. and Arborway: c 9
Appropriation, Meridian Street Bridge: c 112, 193
Chelsea Bridge North: c 403, 404
Collection of garbage, North End: c 260
Disposal of city refuse: c 60, 61, 69, 325
Fire protection, Parker Hill section: c 211
Footbridge, Dover st.: c 58, 209, 305
Fourth Street Bridge: c 304
Lighting contract: c 91
New Health Boat: c 326
Release of easements between Park st. and Neponset ave.: c 330
Release of land, Dudley st.: c 231
Release of land, Norfolk ave.: c 190
Repairs at ferry: c 229
Requests and suggestions affecting department: c 189
Retirement of veterans: c 204
Sale of city horses: c 58
Transfer, Broadway Bridge: c 161
Transfer, Mystic Avenue Bridge: c 305
Transfer of appropriation, Northern ave. and Sleeper st.: c 209

Public Works Department, *continued.*

Ferry Division.

free ferries: order to allow $1 for payment in lieu of tolls, passed c 240

landing: report, referred to executive committee c 261; communication from the mayor transmitting order for an appropriation of $52,000 for repairs on ferry landing c 316–passed c 317

repairs: communications from the commissioner of public works and division engineer relative to repairs necessary, with estimate of cost, referred to committee on finance c 229, 230–report, no action necessary c 450

Paving Division.

sidewalks:

Aberdeen st.: J. J. Johnson, petition c 457–granted c 474
Albany st.: Blacker & Shepard, petition c 133–granted c 146
Alexander st.: N. J. Cohen, petition c 191–granted c 203
Armandine st.: R. G. Crosby, petition c 93–granted c 99; Margaret A. Curley *et al.*, petition c 150–granted c 158
Ashmont st.: Fred H. Woodward, petition c 93–granted c 98; Thomas T. Goodale, petition c 93–granted c 98; E. Lanning, petition c 150–granted c 158
Athelwold st.: order for construction, passed c 151
Audubon rd.: E. L. Snider, petition c 457–granted c 474
Batavia st.: L. Berenson, petition c 456–granted c 473
Batterymarch *and other streets:* Wells Brothers, agents, petition c 150–granted c 158
Bay State rd.: Jessie B. Hayes, petition c 93–granted c 98
Beale st.: W. B. Doggett, C. B. Quigley, petitions c 118–granted c 120; James P. McShane, R. R. Walsh, James Kelly, M. Malleski, petitions c 150–granted c 158; Charles E. Stratton, petition c163–granted c 173
Belgrade ave.: *see* Belgrade Avenue
Belvidere and Dalton sts.: E. T. Ball, petition c 456–granted c 473
Bird st.: James F. Flaherty, petition c 133–granted c 146
Blackstone st.: United Distributing Company, petition c 456–granted c 473
Blue Hill ave.: E. Vanwart, J. I. Stewart, petitions c 133–granted c 146; D. D. Stefano, petition c 150–granted c 158; E. Bamwart, petition c 457–granted c 474; L. Segal, petition c 457–granted c 474
Boardman st.: L. C. Biggio, petition c 456–granted c 473; C. Bonnano, petition c 450–granted c 473
Boston st.: William E. Wight, petition c 93–granted c 98; James H. Clark, petition c 93–granted c 98
Bowdoin ave.: C. M. Mowatt, petition c 93–granted c 98
Bowdoin st.: Harry Rockett, petition c 93–granted c 98; Charles C. Ryder, petition c 93–granted c 98; George Murphy, petition c 118–granted c 120
Bradshaw st.: Maynard D. Hazen, petition c 163–granted c 173
Brookside ave.: Haffenreffer Company, petition c 457–granted c 474
Bullard st.: C. M. Mowatt, petition c 93–granted c 98; Allan W. Brown, petition c 93–granted c 98
Burt st.: F. J. Rockwell, petition c 93–granted c 99
Cambridge st.: A. D. Meltzer, petition c 456–granted c 473
Canterbury st.: Joseph Lewenberg, petition c 93–granted c 98
Charles st., Ward 20: C. F. Brown, petition c 118–granted c 120
Chestnut ave.: L. E. Buff, George O. Currier, R. W. Morville, Louis Shuman, petitions c 133–granted c 146
Columbia rd.: S. W. Johnson, petition c 133–granted c 146; W. B. Watson, petition c 457–granted c 474
Crawford st.: B. Snider, petition c 212–granted c 223
Cross and Endicott sts.: M. S. Cohen, petition c 118–granted c 120
Cummington st.: P. R. Hovey, trustee, petition c 212–granted c 223
Dartmouth st.: G. Swartz, petition c 451—granted c 474
Devon st.: P. Cox, petition c 212–granted c 223
Dix st.: P. Bowen, petition c 134–granted c 146; James Meehan, petition c 163–granted c 173
Dorchester ave.: J. S. McGrath, petition c 93–granted c 99; Arthur Lewenberg, petition c 93–granted c 98; William Riley, petition c 133–granted c 146; C. E. Young, petition c 150–granted c 158; B. Levenbaum, petition c 457–granted c 474
Dorset st.: James H. Clapp, petition c 93–granted c 98
Draper st.: Boyd & Berry, petition c 93–granted c 98
Draper st. and Bentham rd.: *see* Draper Street and Bentham Road
East Second st.: estate of J. Harrison, petition c 133–granted c 146; James P. Begley, petition c 133–granted c 146; R. P. Gerety, petition c 133–granted c 146
East Sixth st.: Annie E. Sawyer, petition c 150–granted c 158
Eastman st.: F. E. Corbett, petition c 133–granted c 146
Edge Hill st.: *see* Edge Hill Street

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EDISON GREEN: P. J. Lyons, petition c 93–granted c 99; George V. Wattendorf, petition c 150–granted c 158; petition c 451–granted c 474; *see* Edison Green

EDSON ST.: Joseph Sullivan, petition c 133–granted c 146; J. W. McEnany, petition c 150–granted c 158; E. F. Sullivan, petition c 150–granted c 158

EIGHTH ST.: F. T. Leahy, petition c 451–granted c 474

ERIE ST.: *see* Erie Street

EUSTIS *and other streets:* resurfacing; *see* Eustis *and other streets*

FALCON ST.: Harry Greene, petition c 93–granted c 99

FISHER AVE.: L. T. Moore, petition c 456–granted c 473

FAYSTON ST.: Silverman & Shapiro, petition c 150–granted c 158

FREEPORT ST.: M. Shoolman, petition c 133–granted c 146

FRIENN ST.: W. J. Packard, petition c 212–granted c 222

FULLER ST.: W. E. Douse, petition c 93–granted c 99

GARNEN COURT ST.: C. Kolodny, petition c 456–granted c 473

GAYLORN ST.: *see* Gaylord Street

GENEVA AVE.: M. R. Simonds, petition c 212–granted c 223

GLENWAY ST.: *see* Glenway Street

GRAMPIAN WAY: N. W. Robinson, petition c 212–granted c 222

GREENWOOD ST.: K. M. Hagopian, petition c 457–granted c 474

HALL ST.: *see* Hall Street, Ward 23

HAMILTON ST.: George N. Douse, petition c 133–granted c 146

HANCOCK ST., DORCHESTER: William A. Whittemore, petition c 133–granted c 146; A. H. Houghton, petition c 451–granted c 474

HAROLN ST.: John Schneider, petition c 150–granted c 158

HARVEST ST.: E. J. Dillamano, petition c 451–granted c 474; T. J. Kennedy, petition c 451–granted c 474

HAVILANN ST.: G. L. Hagenburgur, petition c 457–granted c 474

HEMENWAY ST.: Benjamin Levine, Coleman & Gilbert, petitions c 118–granted c 120; Benjamin Devine, petition c 150–granted c 158; Snider & Rudnick, petition c 212–granted c 221

HEWINS ST.: *see* Hewins Street

HINCKLEY ST.: Daniel Quinn, petition c 133–granted c 146; P. J. Brady, petition c 212–granted c 223

HOLWORTHY ST.: Morris Weinstein, petition c 93–granted c 99; H. Green, petition c 212–granted c 223

HOWARN AVE.: *see* Howard Avenue

HUMBOLDT AVE.: Thomas F. Mahan, petition c 150–granted c 158

HUMPHREYS ST.: C. I. Hutchins, petition c 176–granted c 184; petition c 451–granted c 474

HUNTINGTON AVE.: Samuel Altman, petition c 133–granted c 146

HUTCHINGS ST.: order for construction, passed c 75

IVY ST.: W. J. Maguire, petition c 212–granted c 222

JEROME ST.: F. A. Bradford, petition c 150–granted c 158

JUDSON ST.: S. Shine, petition c 133–granted c 146

KILSYTH RD.: H. K. Brayly, petition c 457–granted c 474; J. M. Wiley, petition c 457–granted c 474; G. M. Wood, petition c 457–granted c 474

KILTON ST.: S. Epstein, petition c 451–granted c 474

LANSDOWNE ST.: E. W. Pitman Company, petition c 212–granted c 223

LAURIAT AVE.: *see* Lauriat Avenue

LEYLANN ST.: Thomas Douglas *et al.*, petition c 191–granted c 203; G. A. Mitten, petition c 212–granted c 223

LOCHSTEAN AVE.: Edric Eldridge *et al.*, petition c 212–granted c 222

MAGNOLIA ST.: E. Molliver, petition c 457–granted c 474

MARKET ST.: J. F. Sullivan, petition c 457–granted c 474

MASSACHUSETTS AVE.: A. W. Cole, petition c 457–granted c 474

MAXWELL ST.: *see* Maxwell Street

MELVILLE AVE.: Nathan C. Harrison, petition c 133–granted c 146

MENNUM ST.: John A. Havey, petition c 86–granted c 88

MILLET ST.: order for construction, passed c 87; *see* Millet Street

MINOT ST.: *see* Minot Street

MOSELEY ST.: W. H. Hardy, petition c 133–granted c 146

MT. EVERETT ST.: H. A. Brehaut, petition c 93–granted c 98; W. H. Crosby, petition c 93–granted c 98; George N. Douse, petition c 133–granted c 146; J. S. B. Heath, petition c 191–granted c 203; John W. Douse, petition c 163–granted c 173

N ST.: S. W. Johnson, petition c 456–granted c 473

NEPONSET AVE.: J. P. Archdeacon, petition c 150–granted c 158; P. O'Hearn, petition c 133–granted c 146; W. B. Rice, petition c 457–granted c 474; St. Ann's School, petition c 457–granted c 474; W. Hammond, petition c 457–granted c 474

NEWBURY ST.: A. J. Rudnick, petition c 212–granted c 221

NEWHALL ST.: *see* Newhall Street

NEWPORT ST.: Mrs. E. J. Ford, petition c 133–granted c 146

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NIXON ST.: P. L. Beverage, petition c 118–granted c 120; petition c 476–granted c 473

NORFOLK ST.: Katherine Nelson, petition c 93–granted c 98

NORTH ST.: Gabriele Stabile, petition c 93–granted c 98

OCEAN ST.: *see* Ocean Street

PARK ST.: *see* Park Street, Wards 23 and 24

PARKER ST.: Matthew O'Donnell, petition c 93–granted c 98

PETERBOROUGH ST.: Dinan & Rosenburg, petition c 457–granted c 473

PETERS ST.: M. A. MacDonald, petition c 456–granted c 473

PLEASANT ST.: A. R. Gilliland, petition c 93–granted c 98; W. Duff, petition c 212–granted c 223; *see* Pleasant Street

PONN ST.: *see* Pond Street

PRINCETON ST.: Frank Macellano, petition c 191–granted c 203

QUINCY ST.: S. Simons, petition c 212–granted c 223

REEDSDALE ST.: I. Wilkins and B. Johnson, petition c 457–granted c 474

RICHFIELD ST.: C. G. G. Reynolds, petition c 133–granted c 146

RILL ST.: Annie V. Baker, petition c 118

ROBIN HOON ST.: M. A. Stammers, petition c 93–granted c 99

ROCKLAND AVE.: J. W. Bartholomew, petition c 456–granted c 473

ROCKWELL ST.: Edward A. Moore, petition c 86–granted c 88

ROSECLAIR ST.: G. V. Wattendorf, petition c 93–granted c 99; Mrs. C. J. Hart, petition c 457–granted c 474

ROXBURY ST.: *see* Roxbury Street

SARATOGA ST.: J. W. Bergin, petition c 93–granted c 98; *see* Saratoga Street

SAVIN HILL AVE.: J. O. Bockland, petition c 456–granted c 473

SAXTON ST.: J. H. Waldron, petition c 212–granted c 223; K. G. Walsh, petition c 176–granted c 184; *see* Saxton Street

SCHOOL ST.: Conveyancers' Title Insurance Company, petition c 93–granted c 98; A. L. Rafter, petition c 150–granted c 158

SEAVER ST.: *see* Seaver Street

SOUTH ST.: J. W. Patterson, petition c 457–granted c 474

SOUTHAMPTON ST.: Starratt, Fields Company, petition c 150–granted c 158

SPENCER ST.: order for construction, passed c 13

SPRING PARK AVE.: C. Gartner, petition c 93–granted c 99

STANDISH ST.: order to construct, passed c 96

STANLEY ST.: Frederick J. Rockwell, petition c 93–granted c 98

STANTON ST.: *see* Stanton Street

STANWOON ST.: P. E. Walsh, petition c 212–granted c 223; E. P. Day, petition c 212–granted c 223; *see* Stanwood Street

STRATFORD ST.: A. H. C. Floyd, petition c 457–granted c 474

STRATHMORE RD. ANN ENGLEWOON AVE.: Charles M. Durland, petition c 163–granted c 173

SUMMER *and other streets:* trustees of Municipal Real Estate Trust, petition c 93–granted c 98

SUTHERLAND RD.: M. E. Nolan, petition c 457–granted c 474

TALBOT AVE.: R. G. Crosby, A. A. Koralewsky, David O. Felt, petitions c 133–granted c 146; J. Muller, petition c 134–granted c 146

THANE ST.: *see* Thane Street

THETFORN ST.: *see* Thetford Street

THORNDIKE ST.: Harry Rosenfield, petition c 93–granted c 98

TORREY ST.: *see* Torrey Street; W. Clark, petition c 457–granted c 474

TOWNSEND ST.: *see* Townsend Street

TREMONT ST.: Joseph Gridley, petition c 93–granted c 98; M. Dana, petition c 457–granted c 474

VICTORIA ST.: J. A. Cully, petition c 457–granted c 474

WACHUSETT ST.: Charles H. Cronin, petition c 93–granted c 98

WAINWRIGHT ST.: Charles M. Durland, petition c 163–granted c 173

WALES ST.: John F. Griffin, petition c 93–granted c 98; Ella E. O'Shea, petition c 133–granted c 146

WALK HILL ST. AND BLUE HILL AVE.: A. L. Lincoln, petition c 118–granted c 120

WALLINGFORN RD.: order for construction, passed c 65

WALNUT AVE.: Morris Weinstein, petition c 93–granted c 99

WARREN ST.: M. F. and F. Shay, petition c 451–granted c 474

WASHINGTON ST.: Massachusetts General Hospital, petition c 456–granted c 473

WASHINGTON ST., WARN 20: W. H. Crosby, petition c 93–granted c 99; petition c 163–granted c 173

WASHINGTON ST. NORTH AND CHAMBER STS.: Charles F. Morrill, petition c 163–granted c 173

WELD HILL ST.: order for construction, passed c 96; *see* Weld Hill Street

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WESTLAND AVE.: Coleman & Gilbert, petition c 456–granted c 473
WEST NEWTON ST.: E. J. Ball, petition c 150–granted c 158
WEST ST.: Amory Lawrence *et al.*, petition c 212–granted c 222
WEST TREMLETT ST.: William E. Wight, petition c 93–granted c 98
WILLIAMS ST., WARD 23: *see* Williams Street
WINSHIP ST., WARD 25: *see* Winship Street, Ward 25
WINTHROP ST., WARD 17: *see* Winthrop Street
WITHINGTON ST.: Norman Clarke, petition c 93–granted c 98
WITHINGTON AND TORREY STS.: Norman Clarke, petition c 134–granted c 146
WRENTHAM ST.: G. W. Williams, petition c 133–granted c 146

Purdy, Lawson, Mr., Head of Assessing Department of New York.

resolution extending invitation to address city council, finance commission and assessors, passed c 429; communication from the mayor transmitting reply from Mr. Purdy to invitation, placed on file c 434; communication from the mayor stating that Mr. Purdy has agreed to come February 1, 1912, placed on file c 456; order to print remarks as a public document to number of 300 copies, passed c 588

Pure Milk. (*See* Milk, Pure.)

Quincy, A. C.

sidewalk, Waldeck st., petition c 307–granted c 319

Quincy A. Shaw, Revenue.

Tenean beach locker: c 131

Quincy Street.

sidewalk: S. Simons, petition c 212–granted c 223

Rackemann, Charles S.

petition for release of restrictions on land, Providence and Boylston sts. c 134–report, no further action necessary c 243

Railroad Commissioners.

approval of Forest Hills station plans: c 407

gates at drawbridge, Chelsea creek: notice of approval c 30

hearings: c 35, 44, 71, 94, 115; notice of hearing on petition of West End Street Railway Company for approval of 350th location c 163; c 238, 261, 279, 334, 364, 443, 458, 486

plans: notice of approval of plans, Boston Elevated structure c 53

police: appointed c 443

Rambach, H.

sidewalk, Mt. Hope st., petition c 372–granted c 373

Rand, F. D.

sidewalks, Poplar and Corinth sts., petition c 372–granted c 373

Randidge Fund.

excursions: communications from the mayor and penal institutions commissioner, inclosing report c 438–440–placed on file c 440

Randolph, Jane L.

petition, compensation personal injuries c 237

Randolph Avenue.

acceptance: petition of A. V. Berner *et al.*, that avenue be accepted; order to accept and lay out as a public way, passed c 240

Randolph Street Playground.

roping off: order to rope off, November 30, for annual football game of Cathedral Young Men's Catholic Association, passed c 463

Rapid Transit. (*See* Public Lands.)

Rapid Transit Commission. (*See* Boston Rapid Transit Commission.)

Rapid Transit Debt.

c 3

Readings.

rules relating to c 45

Real Estate Brokers' Association of Dorchester.

communication relative to increase in fire department c 578

Real Estate Exchange and Auction Board.

communication relative to extension of Arlington st., placed on file c 548

Real Estate Trust Company.

sidewalks, Clark and North sts., petition c 307–granted c 319

Reardon, Mary A.

petition for compensation for damages by construction of street c 44

Reconsideration.

rules relating to c 45

Recreation Department. (*See* Consolidation of Departments.)

Reedsdale Street.

sidewalks: I. Wilkins, B. Johnson, petitions c 457–granted c 474

Refuse, Collection of. (*See* Garbage Disposal.)

Refuse, Removal of.

ordinance relative to: *see* Public Works Department

Register of Deeds. (*See* County of Suffolk.)

Registry of Deeds.

vacation for employees: *see* County of Suffolk

Registry Department.

abolition: message of mayor relative to, placed on file c 459

Release of Restrictions. (*See* Public Lands.)

Remedies for Existing Defects in Fire Department.

report of finance commission c 309, 310

Removal of Store Dirt. (*See* Public Works Department.)

Report of Committees.

rules relating to c 45

Reserve Fund.

appropriation: communication from the mayor transmitting order for an appropriation of $300,000 c 316–passed c 317

anniversary of Ninth Regiment: *see* Ninth Regiment

bathing beach, Freeport st.: *see* Bath Department

bath department: *see* Bath Department

bath house, Dewey Beach: *see* Dewey Beach

Charlestown Heights, fence: *see* Charlestown Heights

county jail furnishings: c 560

Dorchester North burial ground: c 482, 483, 508

convenience stations: *see* Health Department, *also* Convenience Stations

entertainment of distinguished guests: *see* Distinguished Guests

extended use of school buildings: c 372, 375

Fellows street playground: *see* Fellows Street Playground

fens improvement: *see* Park Department

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Fremont avenue playground: *see* Fremont Avenue Playground

grading Strandway: *see* Strandway Playground

health department: c 378

highways: *see* Street Laying-Out Department

hot water apparatus, Social Law Library, c 418

library, Charlestown: *see* Library Department

locker building, Forest Hills: *see* Forest Hills Playground

mechanical stokers, City Hospital: c 380

money for repair of Mystic sea wall: *see* Mystic Playground

monument, Dorchester Heights: transfer $3,000 c 441

new health boat: *see* Health Department

North End pier: *see* North End Park

pier head, Marine park: *see* Marine Park

playground, Mattapan: *see* Playground, Mattapan

playground, Ward 2: *see* Playground, Ward 2

playground, Ward 19: *see* Playground, Ward 19

playground, Ward 23: c 371

playground, Ward 25: *see* Playground, Ward 25

playground improvements: *see* Park Department

reception of veteran regiment: *see* First Regiment of Volunteer Infantry Veteran Association

revenue from Shaw estate: communication from the mayor transmitting order that the revenue received from Quincy A. Shaw estate be appropriated and added to reserve fund, referred to executive committee c 210–report, accepted, order passed c 222

Savin Hill playground: *see* Savin Hill Playground

shelter, Jamaica pond: c 405

tennis court, Franklin field: *see* Franklin Field

transfer to deficit, Broadway bridge: c 161, 184

transfer to elevator inspector: c 161, 184

transfer to Prince street playground: *see* Prince Street Playground

transfers for various improvements: c 316, 317

tunnel, Jamaica Plain: c 232, 246

Restrictions in Fenway. (*See* Public Lands.)

Retirement Act. (*See, also,* Pensions.)

acceptance of act: communication from the mayor relative to acceptance of act relative to retirement fund for laborers, referred to executive committee c 331; order that chapter 413, Acts of 1911, be hereby accepted, discussed c 345-347–assigned c 347–taken up, discussed c 393, 394–assigned c 394–order that act be accepted, discussed c 429-431–rejected c 431

communication from the finance commission: c 380-383–referred to executive committee c 383; communication from the finance commission relative to c 372

Retirement Act, *continued.*

cost: order that city auditor be requested to submit statement as to the amount of money it will cost the city if act relative to is accepted, passed c 183; communications from the mayor and city auditor relative to cost, referred to executive committee c 363

Retirement Fund for Laborers. (*See* Laborers.)

Retirement of Efficient Employees.

c 381

Retirement of Laborers.

order that the mayor furnish information from the heads of departments concerning operation of provisions of act relative to retirement of laborers, etc., passed c 335; communication from the mayor transmitting communications from the different departments relative to, referred to executive committee c 363; communication from the finance commission relative to c 408-411–referred to executive committee c 411–order that the finance commission prepare and file with incoming legislature amendments to meet recommendations outlined in report relative to, passed c 428, 429

Rice, W. B.

sidewalk, Train st., petition c 334–granted c 336

Richenburg, Philip.

petition to be paid for clothing sprayed with oil by city machine c 162

Richfield Street.

sidewalk: C. G. G. Reynolds, petition c 133–granted c 146

Right to Borrow in 1911.

c 4

Riley, James.

petition, compensation for damages to property, Webster st. c 334

Riley, Patrick H.

petition, compensation for damages by leak of water pipe, Mitchell st. c 514

Rill street.

sidewalk: Annie V. Baker, petition c 118

Ringing of Bells on Holidays.

order that the mayor cause bells to be rung on holidays, passed c 14

Rising Sun Street Lighting Company.

contract: *see* Street Lighting

River Street, Mattapan.

edgestones: order for construction, passed c 63

tree: order to remove in front of 113, passed c 474

Robertson, Anna.

communications from the mayor and fire commissioner relative to injuries received by automobile accident, referred to committee on claims c 562–report, with order, accepted, discussed c 581–584–passed c 584

Robin Hood Street.

sidewalk: M. A. Stammers, petition c 93–granted c 99

Robinson, William W.

petition, compensation for injuries, Washington st. c 237

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plan: communication from the mayor transmitting communication from the American Federation of Labor, Massachusetts State Branch, indorsing plan, referred to executive committee c 91

Street Parades.

communication from the mayor transmitting ordinance relative to, referred to committee on ordinances c 187–report, with ordinance, accepted, passed c 261

Street Traffic. (*See, also,* Street Laying-Out Department.)

communication from the street commissioners relative to, placed on file c 54

Strikes. (*See* Dock Laborers or Lawrence Strike.)

Subsoil Irrigation, Boston Common.

communication from the mayor transmitting communication from the superintendent of public grounds relative to, referred to committee on Parkman fund c 59; communication from the mayor recommending transfer of $40,000 from Parkman fund, referred to committee on Parkman fund c 206–report, placed on file c 249–report, accepted, order passed c 374–report, no further action necessary c 446

Subsurface Structures.

communication from the mayor transmitting copy of address by George S. Webster, chief engineer and surveyor of Philadelphia at conference on city planning, May 15-17, 1911, placed on file c 177

Subway to East Boston. (*See* Boston & Eastern Electric Railroad Company.)

Sullivan, C.

sidewalk, East Second st., petition c 307–granted c 319

Sullivan, Daniel J.

petition, compensation for injuries by team of street department c 456

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sidewalk, Sunnyside st., petition c 307–granted c 319; Saratoga st., petition c 307–granted c 319

Summer *and other streets.*

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Sunnyside Street.

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Supreme Judicial Court. (*See* Legislative Matters.)

Sutherland Road.

sidewalks: J. J. Smith, petition c 334–granted c 336; M. E. Nolan, petition c 457–granted c 474

Sutherland Street.

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Swift, Adelaide E.

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Talbot Avenue.

sidewalks: R. G. Crosby, Anna A. Koralewsky, David O. Felt, petitions c 133–granted c 146; J. Mullen, petition c 134–granted c 146; order for construction between Washington st. and Blue Hill ave., passed c 319

Talbot and Dorchester Avenues.

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Target Practice. (*See* Public Buildings Department.)

Taxation of Trust Savings.

resolution approving passage of house bill 774 for taxing deposits in the savings bank departments of trust companies, discussed c 88, 89–amended, adopted c 89

Taylor Street.

sidewalk: Laban Pratt, petition c 334–granted c 336

Tenean Beach.

locker building: communication from the mayor transmitting order for transfer of $1,500 from revenue received from estate of the late Quincy A. Shaw, referred to executive committee c 131–report, no further action necessary c 185; communication from the mayor transmitting order for an appropriation of $1,500, referred to executive committee c 176–report, accepted, order passed c 184, 185

Thane Street.

sidewalk: order to make necessary repairs along both sides, passed c 143

Thetford Avenue.

sidewalk: order for construction, passed c 214–report, accepted, order passed c 246

Thomas Park.

improvements: *see* Dorchester Heights

repair of monument: *see* Dorchester Heights

Thompson, Bertrand C.

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Thorndike Street.

sidewalk: Harry Rosenfield, petition c 93–granted c 98

Three-cent Coinage.

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Tobin, Stephen J.

petition, compensation for damage to automobile by fire apparatus c 456

Tonawanda Street.

poles: granted c 238

Topliff Street.

sidewalk: M. R. Simond, petition c 212–granted c 223

Torrey Street.

sidewalks: Patrick Lyons, W. N. Trafton, E. Alton Bisbee, petition c 192–granted c 203; N. Clark, petition c 334–granted c 336; N. Clark, petition c 457–granted c 474

Towels, Use of. (*See* Ordinances.)

Towle, H. C.

sidewalk, Draper st., petition c 307–granted c 319

Towle, Mary J.

petition, compensation damages to estate, Conway st. c 333

Townsend Street.
sidewalk: order for construction, passed c 214

Traffic Regulations. (*See* Street Laying-Out Department.)

Traiger, Harris L.
petition for hearing on claim against city for personal injuries c 456

Train Street.
sidewalk: W. B. Rice, petition c 334–granted c 336

Training Field.
improvements: communication from the mayor transmitting communication from the superintendent of public grounds, placed on file c 187
seats: order that the superintendent of public grounds be requested to place additional seats, passed c 152
trees: order that the superintendent of public grounds send an estimate of cost of setting out a sufficient number of trees, also an estimate of cost of erecting a suitable drinking fountain, passed c 154

Trainor, Anna V.
petition for hearing on claim for damages, Dorchester and West Eighth sts. c 407

Transfers and Loans.
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Transportation Facilities, North and West Ends.
communication from the acting mayor transmitting communication from committee of West End, North End and East Boston Development Committee relative to transportation and tunnel to East Boston, placed on file c 32

Transportation of Prisoners. (*See* Prisons, Inspection of.)

Transportation Problems.
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Treasury Department.
civil service bill: resolution favoring house bills No. 599 and 1058 relative to, referred to executive committee c 564

Trees, Shade, Care of. (*See* Public Grounds Department.)

Tremont Street.
sidewalks: Joseph Gridley, petition c 93–granted c 98; M. Dana, petition c 457–granted c 474

Trust Companies, Taxation of Savings Bank Departments of. (*See* Taxation of Trust Savings.)

Tunnel to East Boston. (*See* East Boston.)

Ultimate Cost of Pension System.
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Unclaimed Baggage. (*See* Boston & Maine Railroad Company.)

Unfinished Business of City Council. (*See* City Council.)

Union Freight Railroad Company.
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Union Park Street.
roping off: order to rope off street February 1 c 538, 539–passed c 539
widening: communication from the mayor transmitting order for loan of $75,000 for widening c 332, 333–referred to committee on finance c 333; communication from the mayor transmitting order for transfer of $75,000 from the reserve fund, discussed c 361-363–referred to executive committee c 363; order that order be taken from committee on finance, discussed c 394, 395–recess taken c 395–report accepted, order discussed c 396, 397–given first reading, passed c 397–taken up, given final reading, passed c 414–taken up, order rejected c 417

United Drug Company.
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United Improvement Association.
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Use of City Property for Visiting Conventions.
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Use of School Halls. (*See* School Department.)

Value of City Property. (*See* Statistics Department.)

Varney, U. G.
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Victoria Street.
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"Vigilant."
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Vine Street Building.
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Voting Booths, Sale of. (*See* Election Department.)

Wachusett Street.
sidewalk: Charles H. Cronin, petition c 93–granted c 98

Wainwright Street.
sidewalk: Charles M. Durland, petition c 163–granted c 173

Waldeck Street.
sidewalks: A. C. Quincy, petition c 307–granted c 319; Frank E. Shedd, petition c 334–granted c 336

Walden Street.
sidewalk: M. Waul, petition c 307–granted c 319–report, accepted, order passed c 450

Wales Street.
sidewalks: John F. Griffin, petition c 93–granted c 98; Ella E. O'Shea, petition c 133–granted c 146

Walk Hill Street and Blue Hill Avenue.
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Wallingford Road.
sidewalk: order for construction, passed c 65; communication from the mayor vetoing order, placed on file c 68

Walnut Avenue.
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Walnut Park.
sidewalk: Simon Hurvitz, petition c 334–granted c 336

Walnut Street, Charlestown.
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Walnut Street, Ward 24.
public landing: order that the park department be requested to acquire land and maintain public landing, passed c 171; communication from the mayor transmitting communication from the park commissioners relative to, referred to executive committee c 251

Walsh, Richard H.
petition, compensation personal injuries c 334

Walter Street.
sidewalk: Dr. J. Ford, petition c 307–granted c 319

Ward 2.
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Ward 5.
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Ward 7.
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Ward 9.
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Ward 17.
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Ward 20.
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precinct lines, change in: *see* Election Department

Ward 23.
playground, Washington st.: *see* Playground, Ward 23

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Ware, Mary L.
petition, compensation for damage to drain, West st. c 260

Warren Avenue *and other streets.*
closing streets: order to close August 10, passed c 281

Warren Street.
sidewalk: M. F. and F. Shay, petition c 457–granted c 474

Washington Street.
sidewalk: Massachusetts General Hospital, petition c 456–granted c 473

Washington Street, Charlestown.
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Washington Street, Ward 20.
sidewalks: W. H. Crosby, petition c 93–granted c 99; South End Amusement Company, petition c 334–granted c 336; William H. Crosby, petition c 163–granted c 173; order for construction along 123–passed c 355; F. G. Powell, petition c 372–granted c 373

Washington Street, Ward 23.
sidewalk: schedule of cost with order to assess and collect, passed c 134

Washington Street, Ward 25.
sidewalk: Joseph P. Spang, petition c 178–granted c 184

Washington and Dover Streets.
change in elevated location: *see* Boston Elevated Railway Company

Washington Street North and Chamber Street, Ward 5.
sidewalk: Charles F. Morrill, petition c 163–granted c 173

Washington Street Playground. (*See* Playground, Ward 23.)

Water Department.
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Watson, Paul B., *et al.*
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Waul, M.

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Way Street School. (*See* School Department.)

Weeks, A. S. Parker.

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Welch, Francis C.

sidewalk, Brimmer st., petition c 334–granted c 336

Weld Hill Street.

sidewalks: J. M. Kickham *et al.*, petition, order for construction, passed c 55; order for construction, passed c 96

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West End Street Railway Company.

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extension of time: 330th location, granted c 443

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BUNKER HILL ST.: 346th location, granted c 87; location, granted c 30

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SOUTHAMPTON ST.: additional location and alterations, granted c 486

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West Fifth Street Playground. (*See* Playground, South Boston.)

West Fourth Street Bridge. (*See* Public Works Department.)

West Newton Street.

poles: Edison Electric Illuminating Company, erection and removal, granted c 192

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West Roxbury.

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West Street.

sidewalk: Amory A. Lawrence *et al.*, petition c 212–granted c 222

West Third Street Playground. (*See* Playground, South Boston.)

West Tremlett Street.

sidewalk: William E. Wight, petition c 93–granted c 98

Western Avenue.

improvements: c 189

laying out and paving: order that the street commissioners be requested to furnish an estimated cost of laying out and paving, from Charles river bridge to Watertown line, passed c 463

Westland Avenue.

sidewalks: Colman & Gilbert, petition c 456–granted c 473

Wetherald, James T.

appointed sinking funds commissioner c 115–approved by civil service commission c 123

Whalen, W. A.

sidewalk, Aspen st., petition c 372–granted c 373

Whitcomb & Kavanagh Company.

sidewalk, Brimmer st., petition c 307–granted c 319

White, Aaron.

petition, compensation for damages, Blue Hill ave., by overflow of sewage c 364

Whiting, C. S.

sidewalk, Sutherland st., petition c 372–granted c 373

Whitney, William.

petition, compensation personal injuries c 372

Wilcox, William J., *et al., trustees.*

report, with order for settlement, accepted, passed c 449

William Eustis Playground. (*See* Playground, Ward 17.)

Williams, F. L.

sidewalk, Bainbridge st., petition c 334–granted c 336

Williams Street, Ward 23.

sidewalks: order for construction, passed c 115; order for construction, passed c 355; communication from the mayor vetoing order, placed on file c 358

Winship Street, Ward 25.

sidewalk: order to construct, passed c 171

Winthrop Bridge, New.

reconstruction: c 189

Winthrop Street, Ward 17.

sidewalk: Joseph F. Travers, petition c 191–granted c 203

Wire Department.

appropriation, additional, $2,000: *see* Appropriations, Additional Sums

Withington Street.

laying out: order that street commissioners be requested to accept and lay out as a public way, passed c 315

sidewalk: Norman Clark, petition c 93–granted c 98

Withington and Torrey Streets.

sidewalks: Norman Clark, petition c 134–granted c 146

Wood and Bark Measurers.

Maynard F. Moseley, appointed c 81–confirmed c 95; J. M. Rankin, appointed c 122

Wood Island Park.

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Work of the City Departments.

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Workingmen's Loan Association.

director: George E. Curran, appointed c 93

Wrentham Street.

sidewalks: Enterprise Associates, Mrs. Jeanette E. Magee, petitions c 237–granted c 247; G. W. Williams, petition c 133–granted c 146; C. W. Stiles, petition c 307–granted c 319

Wyzanski, Max.

appointed sinking funds commissioner c 71–notice of approval by civil service commission c 119

Yacht Race Trophy.

communication from the mayor transmitting a letter from Mr. Hollis Burgess stating that an ocean yacht race from Boston to Bermuda is to take place next summer, and requesting that city offer a trophy for the winner; order for an appropriation of $500, referred to the executive committee c 60–report, with order in new draft, accepted, passed c 77; communication from the mayor transmitting order restricting number of yachts participating in Boston–Bermuda yacht race before trophy can be awarded, passed c 113; communication from the mayor relative to, referred to executive committee c 176–report, accepted, placed on file c 185; communication from the mayor relative to cup for Bermuda yacht race to be used Labor Day, order for same, passed c 317

Yeaton, Helen F.

petition, compensation personal injuries c 306

Zeigler Street.

repairing: order that the commissioner of public works be requested to place in condition for travel, passed c 147

Zoological Garden. (*See* Park Department and Parkman Fund.)

CITY OF BOSTON.

Proceedings of City Council.

INAUGURAL EXERCISES OF THE CITY COUNCIL.

Monday, February 6, 1911.

Meeting of tbe City Council held in the Council Chamber, City Hall.

Tbe members and members-elect assembled in the Council Cbamber and were called to order by Coun. BALLANTYNE, senior member, at eleven o'clock a. m.

Coun. COLLINS—Mr. President, I move you, sir, tbat a committee of two members of the Council be named by the President to escort his Honor the Mayor to tbe Council Cbamber.

Tbe motion was carried and Coun. Collins and Hale were appointed as said committee. The committee retired at 11.04 a. m., and presently returned accompanied by tbe Mayor, former Mayor Samuel A. Green, Corporation Counsel Thomas M. Babson, various heads of departments and tbe cbaplain, Rev. Father John W. McMabon.

His Honor the Mayor introduced tbe cbaplain, Father McMabon, who delivered tbe following prayer:

"God of infinite power and of love, prostrate at Thy feet in humble adoration we beseecb Thee to help those present before you, cbosen to represent tbe citizens of this great and renowned city whicb is our bome, to administer bonestly and wisely during tbe coming year tbe affairs of tbis great municipality. Guide tbem, O Lord, in tbeir bigh duty to provide for tbe welfare of all tbe citizens to help tbe needy and succor the distressed, and in all tbings, as far as in tbem lies, to do tbe will of God, our common Father, in behalf of His creatures. And may you resolve tbat witb God's belp, under your administration, Boston may be now, as sbe always bas been, tbe foremost of American cities in patriotism, education and protection of ber citizens, and a noble example to all the cities in tbe land."

CERTIFICATE OF ELECTION.

At request of Mayor Fitzgerald tbe City Clerk read tbe following certificate from tbe Election Commissioners:

Board of Election Commissioners,
Boston, January 17, 1911.

John T. Priest, Esq.,
City Clerk:

Sir,—We certify tbat as appears by tbe records of tbe votes cast in tbis city at tbe municipal election held on tbe tentb instant tbe following named persons were duly elected to tbe office of City Council for tbe term of tbree years:

Timotby J. Buckley, 7 Lawrence street.
Daniel J. McDonald, 28 Marion street.
Earnest E. Smitb, 148 Mt. Vernon street.

JOHN M. MINTON,
MELANCTHON W. BURLEN,
ALPHEUS SANFORD,
EDWARD A. MCLAUGHLIN,
Board of Election Commissioners.

Tbe roll was called and it was found tbat all tbe members of the City Council, except Coun. James M. Curley, were present, as follows:

John J. Attridge, Walter Ballantyne, Timotby J. Buckley, Walter L. Collins, Mattbew Hale, Tbomas J. Kenny, Daniel J. McDonald, Earnest E. Smith.

Tbe members-elect for tbe ensuing tbree years, Timotby J. Buckley, Daniel J. McDonald and Earnest E. Smith, were present, and were severally given tbe oatb of office by Mayor Fitzgerald.

MAYOR FITZGERALD'S ADDRESS.

Tbe Mayor, Hon. John F. Fitzgerald, tben delivered his address to tbe City Council, as follows:

Gentlemen of tbe City Council,—We do not meet in tbis room to-day as untried companions, embarking upon some novel adventure. The Council Cbamber itself, tbe inauguration ceremony, the forms of organization, the duties and problems to whicb all tbese are merely a preface and a setting, are familiar to most of us. The cbange tbat has occurred is tbe least that could possibly occur,—one new face among so many. Yet this occasion marks the close of an important period and coincides with tbe fresb start made annually in every city department. I am glad to avail myself of tbe opportunity it affords for expressions of mutual confidence and understanding, as well as for reviews, forecasts and comparisons in tbe public matters which have been entrusted to our care.

Financial Statement.

Precedent and custom require that on tbese occasions your chief magistrate sbould account to you, and tbrougb you to tbe citizens, for bis stewardship during the municipal year; sbould, in other words, present a succinct summary of tbe finances of tbe city. Not every citizen realizes bow limited a stewardship tbe mayor of Boston enjoys, bow far from absolute is bis control over a large share of the city's expenditures. Yet, even with state, metropolitan, county, police and school bills presented to us for payment witbout any effective power of supervision, we are able to report a progress seldom paralleled during tbe past fiscal year.

Tbe amount of tbe appropriations recommended by me at tbe beginning of tbe year, and voted by your bonorable body substantially as recommended, was a moderate one. Altbougb the law would bave permitted a total appropriation of $20,327,586.93, the amount allowed fell short of tbis by $1,141,469, a margin never equaled and seldom approacbed since a tax limit was prescribed by statute.

As a result of our prudence in tbe expenditure of the public money, tbe tax rate was reduced from $16.50 to $16.40 per tbousand. This is tbe lowest tax rate but one among tbe cities of tbe state and nearly $3 lower tban tbe average tax rate among tbe cities of tbe metropolitan district. But tbe real reduction was a mucb more considerable one. Last year, for tbe first time, tbe Scbool Committee voted to expend more tban balf a million, or 40 cents upon $1,000, from tbe tax levy for land and buildings for scbools. Had tbey followed tbe usual practice and contented tbemselves witb tbe loan funds allowed tbem by tbe Legislature tbe tax rate would bave been not $16.40 but $16. Tbe increase of 10 cents allowed them over 1909 migbt also be deducted, leaving tbe tax rate, on the 1909 basis, only $15.90.

Last year, moreover, some $350,000 was appropriated from taxes and revenue for construction, principally for improvements at tbe City Hospital, for tbe new ferryboat, and upon tbe repair of bridges. Under tbe financial metbods whicb were in vogue in former years the money for tbese items would bave been borrowed and an additional 25 cents would bave been subtracted from tbe tax rate, making it only $15.65 per tbousand.

Any citizen wbo is disposed to question my aritbmetic needs only to examine his tax bills for tbe last ten or twelve years. He will find printed upon tbe face of the bill for 1910 tbe following statement:

State tax	$2 40
County tax	1 10
City tax	12 90
Total	$16 40

Not since 1903 has the city tax been so low as $12.90 per tbousand.

Tbe large surplus left by my predecessor received much commendation. I trust tbat a similar disposition to give credit wbere credit is due will be displayed in the comments upon our own unexpended balance, which exceeds tbat of 1909 by over half a million dollars. At tbe close of Mayor Hibbard's administration tbere remained in the city treasury tbe sum of $955,388.68. The year 1911 will open most auspiciously with a balance of $1,486,805.83, tbe largest amount of casb on band at the close of any fiscal year since Boston became a city. Tbis was due in part to economies practiced in tbe city departments, from many of wbicb a considerable surplus was returned to tbe treasury; in part to increased collections due to tbe admirable work of tbe Collector's Department, and in part to receipts from tbe corporation and street railway taxes, as well as otber sources of revenue, beyond the amounts estimated at the beginning of tbe year.

Of the borrowing capacity, estimated at $3,774,045.71 on February 1, 1910, about $1,036,545.71 remained intact on January 1, 1911. The estimated borrowing capacity for the coming year will, in consequence, be larger than if the total for last year had been exhausted, and will amount to $3,780,983.47. But not a dollar of this sum can be considered superfluous. In fact, a large portion of it is virtually pledged in advance for the following items:

Separate system of drainage (now required by statute), about.....	$700,000 00
Ordinary loan for construction of sewers.....	300,000 00
Ordinary loan for construction of streets.....	300,000 00
Schoolhouse loan.....	500,000 00
High School of Commerce loan.....	250,000 00
Total.....	$2,050,000 00

Nor do these items complete the tally of our probable expenditures. The Chelsea North Bridge must be completed in 1911 at an estimated cost of $250,000, and the settlement of the claim of the New York, New Haven and Hartford Railroad for damages sustained through the construction of Cove Street Bridge may impose another $750,000 upon us. If the system of high pressure service for fighting fires is adopted at an annual cost of not less than $150,000, a new contagious diseases ward building is constructed at a cost of $300,000, and a City Hall annex is erected on the site of the old Court House at an estimated cost of $1,100,000, it is obvious that even were there no other calls upon the treasury it would be necessary to go outside the debt limit to meet these legitimate and, as many believe, imperative demands.

But to deny that there are other demands no less legitimate is to fly in the face of common knowledge and of expert testimony. I have made an attempt, for example, by means of a petition and bill now before the General Court, to reduce to a maximum of $400,000 the total of the annual loan for a separate system of drainage, now amounting to about $700,000 and mandatory upon the city through a previous act of the Legislature. Our engineers do not believe that the full amount is necessary or can be advantageously expended. Yet, coupled with their protest against this unnecessary expenditure, is an urgent request for a loan of $500,000 instead of the usual $300,000 for ordinary sewer construction in different parts of the city. Similarly, the Street Commissioners report that, instead of $300,000 a year, the sum of $1,000,000 a year could be expended for the next ten years in the laying out and construction of highways, and every thinking citizen knows that if the funds were available there is no better use to which they could be put. Subways are demanded in every direction,— to South Boston and Dorchester, through the West End, along Boylston street, from Park street to the South Station, to say nothing of tunnels under the harbor; but for all these the credit of the city must be pledged, bonds must be sold and an increase, apparent at least, must be made in the total debt of the city. Whether this debt is incurred inside or outside of the debt limit makes no difference whatever after the obligation has been assumed.

Neither in the status of the city debt nor in the outlook for a moderate tax levy is there any encouragement to recklessness, though in both a candid student will discover, I think, some cause for satisfaction.

The Work of the Year.

A revised charter, which, while imposing many restrictions, some of them salutary, others questionable, upon the officers of the government, also opened new opportunities for constructive achievement, has given an impetus felt throughout every department, and evoked signs of activity and progress where in the past too often inertia has been an unwritten law. The creation of a new Department of Public Works, combining the former Engineering, Street and Water Departments, has met with almost unanimous approval. Town meetings, so called, have been held in the different sections of the city. Through these conferences the citizens and the government have been brought more closely together, and the interest of the Improvement Associations, both local and general, in public questions has been stimulated. Many of the criticisms and suggestions offered by these associations have been found to possess value and their co-operation should be welcomed by all city officials. Thus the movement for cleaner streets received a marked impetus from its enthusiastic advocacy by the Women's Municipal League, which has also interested itself in the question of refuse disposal. The Chamber of Commerce drafted and favored a measure before the Legislature last year designed to mitigate the smoke nuisance. The "Safer and Saner Fourth" was satisfactorily inaugurated in 1910 by the Boston-1915 organization. A bill for better sidewalks, now before the Legislature, is the result of an agitation maintained, if not initiated, by the United Improvement Association. The City Council has before it an ordinance codifying and amending the regulations as to shade trees, prepared by the Boston Society of Architects, and another, relating to the hours during which children may frequent certain sections of the city unaccompanied, submitted by the Home and School Association. Personally, I look upon this activity among the citizens' associations as a hopeful sign and believe it may be traced in part to the awakening caused by the tour of the city made by the Mayor and the City Council last spring.

Work of the City Departments.

Among the more important of the city departments there have been many evidences of activity. In the Park and Public Grounds Departments, for example, the income of the Parkman Fund has been devoted to the renovation of the soil of Boston Common, and to the creation of a zoological garden at Franklin Park and an aquarium at Marine Park. When these institutions are completed Boston will no longer be without these means of public recreation and instruction, one or both of which exist in practically every other leading American city. A large sum has been expended by the Park Department upon the improvement of playgrounds.

The Fire Department has built a new fireboat for service in the northern portion of the harbor; has arranged a system of inspection intended to prevent fires as well as to detect them in their early stages; has identified itself with the movement for metropolitan mutual aid, which seeks to unify the fire-fighting forces over the whole metropolitan district; and is now engaged in advocating measures of far-reaching importance before the Legislature,—bills for the regulation of garages, lumber wharves and explosives, and for the installation of a high pressure water service.

The Board of Health has adopted a system of dairy inspection by which its employees visit and inspect all dairies furnishing milk for consumption in Boston, traveling as far as New York and Canada in the performance of their duties. It has made a regulation abolishing the dip tank and requiring all milk to be sold in capped bottles. By the employment of special nurses it has established a closer surveillance over the isolation and care of cases of contagious diseases.

The Hospital Department has carried on the work of fireproofing its main buildings and engine room, a measure of safety which has been necessary for several years, and has acquired a site for the new building intended to care for cases of contagious diseases. In connection with the work of this department efforts have been made to secure from the trustees of the Robert B. Brigham and the Peter Brigham Hospitals statements of their plans, as it is obvious that the expenditures of the city for relief to the sick must be graduated according to the expenditures of the various private agencies. As yet these efforts have been unavailing, but there is reason to hope that through the investigation started by a committee of your honorable body and the publicity which has been given to the whole matter thereby, information will be forthcoming upon which the city may base its own policy in hospital appropriations.

The Consumptives' Hospital Department has completed a new ward building and a women's cottage building, both unexcelled in their appointments and their adaptation to the needs of this class of patients.

The Public Buildings Department has practically completed the new gymnasium, swimming pool and bath house on the site of Curtis Hall, and has plans for the reconstruction of the Blossom street wardroom as a gymnasium and bath house for the West End, as well as for municipal buildings in the different sections in which they are notoriously needed.

Through the Board of Street Commissioners the city has co-operated with the Copley Square Trust in securing the erection of a great new hotel

on the site of the old Art Museum, and with the Park Square Real Estate Trust in its efforts to redeem from stagnation the territory formerly occupied by the Boston and Providence Railroad station and yard. The completion of this important work may involve changes in St. James avenue and Providence, Arlington, Ferdinand and Pleasant streets, and should lead to the opening up for business uses of the extensive area tributary to Park square. In connection with the construction of new streets an important amendment to the constitution was passed by the Legislature at its last session, and will come before it for a second vote at the present session before being submitted finally to the people for ratification or rejection. This amendment, which was proposed by me, provides that the Legislature may, by special acts, authorize the city to take more land than is needed for actual construction for the laying out, widening or relocating of highways, and will enable many necessary street improvements to be made, of which the cost would otherwise be prohibitive.

In the Bath Department the completion of the Paris Street Gymnasium, one of the finest of its kind in the world, is only one of several progressive achievements. Plans are now in hand which will make the L Street Bath House even more useful to its legion of patrons.

The annual report of the Children's Institutions Department for 1909 contained an opinion, submitted by a minority of the trustees, that the Suffolk School for Boys should be abandoned. Their recommendation was referred to the Finance Commission on September 24, 1910, and the commission has recently sent a report indorsing the attitude of the minority of the trustees, and even going much further in recommending a transfer of the functions of the Children's Institutions Department to the state. This question will undoubtedly come before your honorable body in one form or another during the coming year.

The Street Department has been especially active and in almost every division improved methods have been tested and adopted when found successful. Two sewer yards have been consolidated, and new apparatus has been installed at the Calf Pasture pumping station. Between eight and nine linear miles of cement sidewalks have been laid on newly constructed streets, and for the first time in recent years a new ferryboat has been built out of tax money.

All this has been accomplished without any great strain upon the financial resources of the city. The increase in the pay rolls for the fiscal year has been only $420,702.35, and of this total $225,108.93 is accounted for by the Police Department and the School Committee, over which the Mayor has little or no control. The net increase in departments under his control is only $195,593.42, which is less than half of the total increase and which barely keeps pace with the normal growth of the city in population and valuation and the constantly increasing demands made upon the various departments.

Work to be Accomplished.

Passing over the work of other departments no less worthy of mention, I take this opportunity to call attention to certain needs of the city not irrelevant to the activities of your honorable body. Foremost among these, in my opinion, is a pension system which will care for the aged employees in the city service, while permitting of their replacement by younger and more vigorous workers. The pressing problem of the rapid, yet economical installation of water meters, so that various classes of citizens may not pay at different rates for the same service and the same quantities of water, should be taken up at an early date. A new ordinance is required regulating the fees for bay windows, marquises, vaults and similar projections under and over the streets. I have recommended, and still believe, that the residence of the late George Francis Parkman should be acquired by the city and held as a memorial building, while at the same time serving as a headquarters for certain departments. Should the Department of Public Recreation be established, its office might appropriately be located in the home of Mr. Parkman, who left almost his entire fortune for the improvement of the city parks.

Upon the broader questions of dock and harbor development, railway service, transportation facilities, metropolitan activities and charges, the increased use of Charles River Basin, a federated Greater Boston, and the like, want of time forbids any extended presentation of views, yet I see no impropriety in reminding you that these are subjects of basic interest to the community which we represent, and, provided we do not neglect our prescribed functions, any criticism made upon us should be directed against a deficiency and not an excess of interest and of energy. The functions of government are expanding, and the official who performs them to the satisfaction of the people to-day will hardly be one who permits himself to be tied in the straight-jacket of routine.

Conclusion.

One of my first official acts, gentlemen, will be to submit to you the estimates of the city departments with the amounts recommended by me for each. Once the budget for the year is determined, it will be our duty to see that every dollar appropriated is so expended as to yield the maximum of return in conscientious and intelligent service. I do not myself doubt that such is generally the case. Possessing a wider and more intimate acquaintance with the heads of city departments and the men occupying responsible positions under them than some who have decried the value of their services, I do not hesitate to say that they are, as a class, underpaid. The clerks, laborers and other subordinates are, on the whole, faithful and honest, and those who are not will find no favor under this administration.

I trust, gentlemen, that Boston will have no need to be ashamed of our labors and that the judgment passed upon our record a twelvemonth hence will be a favorable one. Let us dedicate and rededicate our best efforts to the welfare of the city which has honored us. For it is surely no mean distinction to have been called to the public service of the City of Boston. (Applause.)

Following are the appendices:

City and County Funded Debt.

	Gross Debt.	Sinking Funds, etc.	Net Debt.
City debt	$90,409,956 00	$35,635,970 62	$54,773,985 38
County debt	* 3,881,333 33	1,373,656 23	2,507,677 10
Cochituate water debt	3,328,500 00	2,941,734 55	386,765 45
	$97,619,789 33	$39,951,361 40	$57,668,427 93
Rapid transit debt	17,454,700 00	2,194,477 42	15,260,222 58
	* $115,074,489 33	$42,145,838 82	$72,928,650 51

* Includes $535,333.33 issued by the Commonwealth under chapter 534 of the Acts of 1906.

Increase of Debt in 1910-11.

Gross Funded Debt.

	City Debt.	County Debt.	Cochituate Water Debt.	Rapid Transit Debt.	Total.
January 31, 1911.....	$90,409,956 00	$3,881,333 33	$3,328,500 00	$17,454,700 00	$115,074,489 33
January 31, 1910.....	86,967,206 00	3,591,000 00	3,696,500 00	16,460,700 00	110,715,406 00
Increase.....	$3,442,750 00	$290,333 33	* $368,000 00	$994,000 00	$4,359,083 33

Net Funded Debt.

	City Debt.	County Debt.	Cochituate Water Debt.	Rapid Transit Debt.	Total.
January 31, 1911.....	$54,773,985 38	$2,507,677 10	$386,765 45	$15,260,222 58	$72,928,650 51
January 31, 1910.....	53,982,665 37	2,303,624 34	491,340 35	14,568,342 52	71,345,972 58
Increase.....	$791,320 01	$204,052 76	* $104,574 90	$691,880 06	$1,582,677 93

* Decrease.

Right to Borrow in 1911.

Total funded debt, city and county, January 31, 1911			$115,074,489 33
Less special loans (outside of limit)		$57,461,000 00	
Cochituate water debt		3,328,500 00	
County debt (outside of limit)		3,456,333 33	
			64,245,833 33
			$50,828,656 00
Sinking funds		$40,904,046 25	
Less special loans sinking funds	$16,856,809 18		
Cochituate water sinking fund	2,941,734 55		
County Courthouse sinking fund	1,373,656 23		
		21,172,199 96	
			19,731,846 29
Debt, excluding debts outside of limit and deducting sinking funds for said debt			$31,096,809 71
Two and one-half per cent on $1,355,416,829, average valuation for three years, less abatements			$33,885,420 72
Debt as above			31,096,809 71
			$2,788,611 01
March 1, 1911, interest on investments			472 50
April 1, 1911, interest on investments			120,247 85
May 1, 1911, interest on investments			2,030 00
May 30, 1911, interest on investments			4,470 00
June 1, 1911, interest on investments			19,493 75
July 1, 1911, interest on investments			183,106 63
July 1, 1911, serial bonds paid from appropriation			158,000 00
September 1, 1911, interest on investments			472 50
October 1, 1911, interest on investments			120,247 85
October 1, 1911, serial bonds paid from appropriation			17,000 00
November 1, 1911, appropriation for debt			1,000,341 00
November 1, 1911, interest on investments			2,030 00
November 30, 1911, interest on investments			4,470 00
December 1, 1911, interest on investments			19,493 75
January 1, 1912, interest on investments			182,746 63
January 1, 1912, serial bonds paid from appropriation			62,750 00
January 1, 1912, interest on bank deposits			30,000 00
			$4,715,983 47
Less loans authorized but not issued (inside debt limit)			935,000 00
Right to borrow			$3,780,983 47

The Mayor began his address at 11.18 p. m. and finished reading it at 11.38 p. m., at which time the Mayor and suite retired, leaving the City Council in session.

Chairman BALLANTYNE—The Council will be in order. The Clerk will call the roll to ascertain the attendance of a quorum.

The Clerk called the roll, and all were present but Coun. Curley.

ELECTION OF CITY CLERK.

Coun. ATTRIDGE offered an order—That the City Council now proceed to elect the City Clerk according to law, for the term ending the first Monday in February, 1914.

The order was passed, the Clerk called the roll, each member announcing his choice as his name was called, and the eight members present voted for John T. Priest, who was declared elected City Clerk for three years.

COUNCIL RULES.

Chairman BALLANTYNE offered an order—That, until otherwise ordered, the Rules of the City Council of 1910, except Rule 32, be adopted as the rules for the government of the present City Council, provided, however, that no authority shall be conferred by the passage of this order for the appointment of the committees provided for in Rule 22, except by the permanent president.

The order was passed.

SOLDIERS' RELIEF.

Coun. HALE offered an order—That a special committee, to consist of three members of the City Council, be appointed temporarily to determine the amounts of aid to be allowed to soldiers and sailors and their families and other persons, under the provisions of chapter 79 of the Revised Laws and any act in addition thereto or amendment thereof, the amounts so paid to be charged to the appropriation for Soldiers' Relief.

The order was passed.

PETITION APPROVED.

Coun. HALE presented the petition of Sybella T. Haviland for permit for children under fifteen years of age to appear at Roxbury Neighborhood House on evening of February 10, 1911.

A permit was granted on the usual conditions.

Coun. COLLINS—Mr. President, I move a recess subject to the call of the Chair until later in the day.

Coun. BUCKLEY—Mr. President, as we have elected a City Clerk, why would it not be well to elect the other officers aside from the president at this time, before we take a recess?

Coun. COLLINS—Mr. President, that is perfectly agreeable to me, if it is to the others, and I withdraw my motion so as to allow the other officers to be elected at this time.

ELECTION OF CLERK OF COMMITTEES.

Coun. BUCKLEY offered an order—That John F. Dever be employed as Clerk of Committees of the City Council until otherwise ordered, at a salary of $2,500 per annum, said salary to be charged to the appropriation for City Council, incidental expenses.

The order was passed, yeas 8, nays 0.

ELECTION OF CITY MESSENGER.

Coun. COLLINS offered an order—That Edward J. Leary be employed as City Messenger of the City Council until otherwise ordered, at a salary of $2,500 per annum, said salary to be charged to the appropriation for City Council, incidental expenses.

The order was passed, yeas 8, nays 0.

ELECTION OF SECRETARY.

Coun. McDONALD offered an order—That Frank X. Chisholm be employed as Secretary to the City Council and Assistant Clerk of Committees until otherwise ordered, at a salary of $1,800 per annum, said salary to be charged to the appropriation for City Council, incidental expenses.

The order was passed, yeas 8, nays 0.

ELECTION OF ASSISTANT MESSENGER.

Coun. KENNY offered an order—That Charles E. Silloway be employed as secretary and assistant to the City Messenger until otherwise ordered, to fulfill the ordinary duties of such positions, and to discharge the duties of the City Messenger when there is a vacancy in the office, and that he receive compensation at the rate of $1,800 per annum, the same to be charged to the appropriation for the City Council, incidental expenses.

The order was passed, yeas 8, nays 0.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, February 6, 1911.

To the City Council:

Subject to confirmation by your honorable body, I hereby appoint James F. English* (Waverley House, Ward 5) and Thomas H. Staples (26 Clive street, Ward 22) Constables of the City of Boston for the term ending April 30, 1911.

Respectfully,
JOHN F. FITZGERALD, Mayor.

* Mr. English is an official of the city and is to serve without bonds.

City of Boston,
Office of the Mayor, February 6, 1911.

To the City Council:

Subject to confirmation by your honorable body, I hereby appoint Joseph F. Amrhein (1206 Harrison avenue, Ward 17), Arthur B. Cudworth (163 Hemenway street, Ward 10), John H. Donaher (559 East Fourth street, Ward 15), Peter M. Farrell (17 Davis street, Ward 9), Karl S. Hart (64 Surrey street, Ward 25), William Green (64 Beechland avenue, Revere), Mary L. Greenberg (385 Harrison avenue, Ward 9), John T. Matthews (242 West Newton street, Ward 10), Fred Thomson (15 Rockford street, Ward 17) and Augustus Wellings (6 Houten court, Ward 2) Weighers of Coal for the term ending April 30, 1911.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Severally laid over under the law.

RECESS.

The Council voted, at 11.50 p. m., on motion of Coun. COLLINS, to take a recess, subject to the call of the Chair, until later in the day.

The members reassembled and were called to order by Chairman BALLANTYNE at 12.54 p. m.

COMMITTEE ON SOLDIERS' RELIEF.

Chairman BALLANTYNE—As it seems necessary at this time to appoint a Committee on Soldiers' Relief temporarily, the Chair would ask the committee of 1910, consisting of Coun. Hale, Buckley and Curley, to serve temporarily in that capacity.

CITY HALL ANNEX.

The following was received:

City of Boston,
Office of the Mayor, February 6, 1911.

To the City Council:

I desire to recommend, for passage by your honorable body, the accompanying order appropriating $800,000 from the cash surplus in the treasury for the erection of an annex to City Hall on the present site of the Old Court House.

The city now meets a large annual loss from the lack of proper and modern accommodations for the

carrying on of its work. It now pays a yearly rental of $50,755 for leased quarters occupied by the various departments. A considerable yearly saving would be effected and there would be a decided gain in operating efficiency if all these scattered departments could be housed in one modern structure. To that end I have submitted for your consideration this proposition to apply $800,000 of the existing surplus to the erection of an eleven-story office building on a site immediately adjacent to the present City Hall. This site, which is now owned by the city, would furnish about 125,000 square feet of floor space, which is more than sufficient for all present needs, and its use for this purpose would permit the sale of the Probate Building on Tremont street and Court square, valued at from $400,000 to $450,000, and of the School Committee Building on Mason street, valued at $250,000. It has been roughly estimated that for the sum recommended an eleven-story modern office building, with an arcade connection with the present City Hall, could be erected. The present site of the Old Court House is valued at about $1,000,000. The total cost, therefore, of the investment to the city, including the value of the land and of the new buildings, would be about $1,800,000. The city would acquire about 125,000 square feet of office space, which is easily worth, at the present rate of rentals paid for offices in modern buildings, $1.50 a foot per year, making a total rental value of about $187,500, equivalent to 10.4 per cent gross return on the total investment.

The following figures show in detail the advantage to the city of the proposed new municipal office building. It will be observed that about 28,000 square feet of floor area, or more than one-fifth of the entire new building, will not be required for the departments now housed outside of City Hall, and may be used to relieve the congestion which exists in some of the larger and growing departments.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That from the cash surplus in the treasury there be appropriated the sum of eight hundred thousand dollars ($800,000), to be expended by the Superintendent of Public Buildings for the erection of an annex to City Hall on the site of the present Old Court House.

Municipal Building.

Total space in new building (eleven stories high, to connect by arch with City Hall)		125,000 sq. ft.
Offices now leased by departments (including police and license board) which may and should be accommodated in new building	42,868 sq. ft.	
Buildings occupied by departments which may be accommodated in new building, thus leaving the city free to sell or lease such buildings. (The School Committee, Mason street; Probate Building, Court square and Tremont street; and Wire Department building, Wareham street)	22,911 sq. ft.	
Present occupants of Old Court House take	31,465 sq. ft.	
Balance of space in new building, which may be used by several of the departments now in City Hall, such as Street Commissioners and Board of Public Works, etc.	27,756 sq. ft.	
	125,000 sq. ft.	

Rent now paid by city for above leased offices, including taxes assumed by Police Department,	$50,755 00
Taxes assumed by city on real estate occupied by Wire Department, School Committee and on Probate Building	10,319 00
Interest at 4½ per cent which city is losing on market value of above real estate	30,825 00
Annual cost to city under present arrangement	$91,899 00
To this should be added a charge for space used by present occupants of Old Court House who would be accommodated in new building (31,465 square feet at $1.50 a foot per year)	57,195 00
Value of surplus space in new building which could be occupied by departments now in City Hall (27,756 square feet at $1.50 a foot per year)	41,634 00
Total gross return to city on account of new building.	$190,728 00

Or 10.4 per cent on $1,800,000, an approximate value for land and new building.

Referred to the Committee on Finance, when appointed.

—

LETTER FROM LAURENCE MINOT.

The following was received:

City of Boston,
Office of the Mayor, February 2, 1911.

To the City Council:

I beg to forward a letter from Laurence Minot, Esq., president of the Park Square Real Estate Trust, relating to the proposed extension of Arlington street from Boylston street to Providence street and thence to Columbus avenue, over land now owned completely, or almost completely, by the trust.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Boston, January 30, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—In December, 1909, at a public hearing given by the Street Commissioners on the question of extending Arlington street from Boylston street to Castle square, I stated, on behalf of the trustees of the Park Square Real Estate Trust, that if the city deemed it desirable in the public interest that such an extension should be made, the trustees stood ready to co-operate with the city in every reasonable and proper way toward carrying out the improvement. While this extension seems to have met with general favor on the part of the public, no steps have been taken, so far as I am aware, by the city toward making it. Some time ago the trustees of the Park Square Real Estate Trust filed with the Street Commissioners a plan for the extension of Arlington street on their own land at their own expense from Columbus avenue to Providence street on lines which would permit of an ultimate extension from Boylston street to Castle square. The plans were approved by the Street Commissioners and yourself and the street has been built to rough grade and we expect to pave it during the coming summer.

The trustees of the Park Square Real Estate Trust recently purchased and now own the estates 314 and 318 Boylston street, which would necessarily be taken if Arlington street is extended further. The leases on the Boylston street property expire on the first of June next, and, in view of the fact that the city has taken no steps for extending Arlington street, I am having plans prepared for rebuilding on the Boylston street lots. It seems to me only proper that I should advise you of this action on our part and call your attention to the fact that the time is rapidly passing when this extension can be made. I assume from the fact that nothing has been done that you have come to the conclusion that public necessity does not require that the street should be extended and I am, therefore, proceeding with the development of the Park square property in accordance with existing conditions.

Yours respectfully,
LAURENCE MINOT.

Referred to the Executive Committee, when appointed.

PRECINCT LINES, WARD 20.

The following was received:

City of Boston,
Office of the Mayor, February 4, 1911.

To the City Council:

The inclosed communication from the chairman of the Board of Election Commissioners informs me that, owing to an excess in the number of registered voters at the last annual city election above the maximum of 1,000, it becomes necessary for your honorable body to make a division of Precinct 6, Ward 20, into two or more voting precincts, or a new division of the entire ward, and is hereby transmitted for such action as may seem to be appropriate under the circumstances.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Board of Election Commissioners,
Old Court House, Court Square,
Boston, February 2, 1911.

Hon. John F. Fitzgerald,
Mayor:

Dear Sir,—Section 191 of chapter 560 of the Acts of 1907 provides, in part: "If a voting precinct shall in any year, according to such registration, contain more than one thousand voters the aldermen shall in like manner either divide such precinct into two or more voting precincts, or shall make a new division of the ward into voting precincts, so that no precinct shall contain more than one thousand voters." The words "such registration" quoted above refer to the registration of voters at the preceding annual city election.

We respectfully call to your attention that according to the registration of voters at the preceding annual city election in Ward 20, Precinct 6, this precinct contains 1,024 registered voters.

It would be extremely inconvenient for the listing of male residents and the preparation of the voting lists if this division was not completed on or before March 1, 1911. We respectfully suggest, therefore, that the City Council take this matter up at once and this department will be glad to render any assistance in its power.

Respectfully,
BOARD OF ELECTION COMMISSIONERS,
JOHN M. MINTON, Chairman.

Referred to the Executive Committee, when appointed.

UNFINISHED BUSINESS.

Coun. KENNY offered an order—That the several committees of this City Council, when appointed, be authorized to resume consideration of the unfinished business referred from last year.

Passed.

MINORS' LICENSES.

The Chair submitted applications for minors' licenses from seventy-three newsboys, three bootblacks and three venders, and licenses were granted on the usual conditions.

POLE LOCATIONS.

Copies of orders were received from the Street Commissioners granting pole location on Pope's Hill street, Ward 24, to Edison Electric Illuminating Company of Boston, and permission to place signal box on Main street, Charlestown, to Police Commissioner.

Placed on file.

CONSTRUCTION OF MARSH STREET.

The following was received:

City of Boston,
Street Laying-Out Department,
February 3, 1911.

To the Honorable the City Council:

Gentlemen,—Replying to your order of the 12th of December last, requesting an estimate of the cost of constructing Marsh street, Dorchester, from Granite avenue to Highland avenue, I am directed by the Board of Street Commissioners to submit the following:

Land and grade damages	$15,000
Construction	35,000
Total	$50,000

This estimate is exclusive of sewerage works. Marsh street is of varying width, approximating 40 feet. The plans provide for a street 50 feet wide and the figures are for a street of this width, including also its extension to Highland avenue.

Very truly yours,
J. J. O'CALLAGHAN, Secretary.

Referred to the Committee on Finance, when appointed.

TIME OF MEETING.

Coun. McDONALD offered an order—That, until otherwise ordered, Monday of each week, at three o'clock p. m., be the day and hour when regular meetings of this Council shall be held.

Passed.

GENERAL RECONSIDERATION.

On motion of Coun. HALE the Board refused a general reconsideration of all action taken to-day.

Adjourned, on motion of Coun. KENNY, at 12.58 p. m., to meet on Monday, February 13, at 3 p. m., unless sooner called together by the Chair.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 13, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., Coun. BALLANTYNE, senior member, presiding. Absent—Coun. Curley.

The Council voted, on motion of Coun. McDONALD, to dispense with the reading of the records of the last meeting.

CHAIRMAN OF EXECUTIVE COMMITTEE.

Coun. COLLINS—Mr. President, I move that a temporary chairman of the Executive Committee be appointed.

The motion was carried and the Chair appointed as temporary chairman Coun. Hale.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, February 13, 1911.

To the City Council:

Subject to confirmation by your honorable body, I appoint the following named persons to be Weighers of Coal for the term ending April 30, 1911:

William J. Doyle (Long Island, Boston Harbor), Everett S. Hamlin (105 Mountfort street, Ward 11), Daniel F. Hurley (Long Island, Boston Harbor) and George A. Whitten (Hotel Oxford, Huntington avenue).

Respectfully,
JOHN F. FITZGERALD, Mayor.

Laid over under the law.

SALE OF FIREBOAT.

The following was received:

City of Boston,
Office of the Mayor, February 13, 1911.

To the City Council:

The accompanying letter from the Fire Commissioner, requesting permission to sell the old fireboat, formerly known as Engine 31, for the sum of twenty-five hundred and fifty-five dollars ($2,555), to Thomas Butler & Co., the highest bidders for the purchase of said boat, is hereby approved, and I recommend the passage of the accompanying order authorizing this sale.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Headquarters Fire Department,
Boston, February 7, 1911.

Hon. John F. Fitzgerald, Mayor:

Sir,— In accordance with section 14 of the Revised Ordinances of the City of Boston, I have the honor to request permission from the City Council to sell old Fireboat No. 31 for the sum of $2,555 to Thomas Butler & Co., the proceeds of this sale to be applied to the appropriation of the Fire Department.

Proposals for selling this boat, in whole or in part, were advertised for in the issues of the *City Record* of January 14, 21 and 28. I inclose a copy of the list of bids received.

I have had the boat appraised by Robert H. Fraser, consulting engineer and marine surveyor, and also by the Superintendent of Supplies of the City of Boston, in conjunction with Mr. Peterson, of Berthelson & Peterson, ship builders. They both agree that $2,555 is a fair price for the boat in its present dilapidated and worn-out condition.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

City of Boston,
Headquarters Fire Commissioner,
February 7, 1911.

Bids for the purchase of hull, etc., of fireboat:

William S. Nolan	$866 98
James F. Nolan	1,315 00
Joseph L. Searfoss	1,925 00
Boston Contracting Company	1,965 00
Louis Miller Company, Inc	2,277 88
Thomas Butler & Co	2,555 00

—

Ordered, That the Fire Commissioner be, and hereby is, authorized to sell the old fireboat, formerly known as Engine 31, for the sum of twenty-five hundred and fifty-five dollars ($2,555) to Thomas Butler & Co., the highest bidders for the purchase of said boat.

Referred to the Executive Committee.

QUARTERS FOR FIREBOAT.

The following was received:

City of Boston,
Office of the Mayor, February 13, 1911.

To the City Council:

I desire to recommend the passage of the accompanying loan order for five thousand dollars ($5,000) for the erection of quarters for Engine 31, the new fireboat. The letter of the Fire Commissioner, attached hereto, explains that the previous appropriation of fifteen thousand dollars ($15,000) is insufficient, as the lowest bids for the dock and the building exceed that sum by about two thousand dollars ($2,000), and certain other expenses remain unprovided for.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Headquarters Fire Department,
February 7, 1911.

Hon. John F. Fitzgerald, Mayor:

Sir,— I desire to forward again a list of bids received for erecting quarters for Engine 31, the new fireboat of this department.

The appropriation for quarters, wharf, etc., for this boat amounts to $15,000. This department has already entered into a contract for preparing a dock for the boat for the sum of $6,300. The lowest bid for the building is $10,400. These two figures combined exceed the appropriation of $15,000 by about $2,000. In order, therefore, that we may proceed at once with this building, I request that the City Council appropriate $5,000 additional, to cover the necessary expenditures for the building and the architect's fees.

I beg to point out that the dredging and docking job was let at a figure under the City Engineer's estimate, and that the building is of a size sufficient to provide quarters for fifteen men.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

—

City of Boston,
Headquarters Fire Department,
February 7, 1911.

Bids for quarters for Engine 31:

Christopher F. Brown	$10,400
C. S. Cunningham & Sons Construction Company	10,786
John J. Flynn	10,969
Thomas H. Hanlon	11,702
A. Varnerin Company	12,000
Ardoline & Pizzano	12,290
A. B. Carter	13,000
Ford & Denning	13,997

—

Ordered, That the sum of five thousand dollars ($5,000) additional be hereby appropriated, to be expended under the direction of the Fire Commissioner for new quarters for fireboat, Boston side, and that to meet such appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

Referred to the Committee on Finance, when appointed.

ABANDONMENT OF LANDS.

The following was received:

City of Boston,
Office of the Mayor, February 13, 1911.

To the City Council:

I beg to transmit a letter from the Commissioner of Public Works, together with a notice to your honorable body and an order relating to the abandonment of a strip of land 6 feet in width, taken for sewerage purposes, between May street and the Arborway. The order has my approval and I respectfully recommend that it be passed by your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Public Works Department.

To the Mayor:

Sir,—In accordance with chapter 25, section 50, of the Revised Laws of Massachusetts, I inclose herewith a notice to the City Council that land and easement taken for sewerage purposes by the Board of Street Commissioners on November 21, 1898, between May street and the Arborway, situated in that part of Boston formerly West Roxbury, and now in my charge, is, in my opinion, no longer required for public purposes.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

Public Works Department.

To the City Council:

The Commissioner of Public Works, now having charge of an easement in a strip of land 6 feet in width, between May street and the Arborway, in that part of Boston formerly West Roxbury, taken for sewerage purposes by the Board of Street Commissioners on November 21, 1898, hereby notifies your honorable body that, in his opinion, said land and easement is no longer required for public purposes.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

City of Boston.
In City Council.

Whereas, the Board of Street Commissioners, by an order passed on November 21, 1898, took a strip of land 6 feet in width for sewerage purposes between May street and the Arborway, in that part of Boston formerly West Roxbury, from Theresa May; and

Whereas, the Commissioner of Public Works, now having charge of said land and easement, has notified the City Council that the said land and easement so taken is no longer required for public purposes; it is hereby

Ordered, That his Honor the Mayor be and he is hereby authorized in the name and behalf of the city and in accordance with the provisions of chapter 25, section 50, of the Revised Laws of Massachusetts, to declare the right and easement so taken to be abandoned, said declaration of abandonment to be made for a nominal consideration. Said strip of land being shown on a plan deposited in the office of the Public Works Department, Sewer and Water Division, Sewer Service, and marked "City of Boston, Plan No. 28, Sewerage Works, May street, West Roxbury, May 18, 1898, John E. Cheney, Acting City Engineer."

Referred to the Committee on Public Lands when appointed.

INVESTIGATION OF SUBJECTS.

The following was received:

City of Boston,
Office of the Mayor, February 13, 1911.

To the City Council:

In the report of the Library Trustees for the year 1910 the following statement is made:

"In respect to the buildings used for branches, we are on the whole behind any other important city in the Union. We have no branch library building so constructed as to be furnished with the utmost efficiency and economy and with the best service for the public.

"We invite the attention of the City Council especially to the matter of better accommodations for some of our branch libraries and reading room stations, particularly at Charlestown, East Boston, Ward 6, and in the district served by the Broadway Extension Reading Room."

I find a general demand expressed at the district meetings not only for library branches and stations but for new playgrounds, municipal buildings, courthouses and police stations and other similar improvements, and would respectfully suggest that as soon as your honorable body has completed its organization special committees be appointed to consider the following subjects:

Branch Libraries.
District Municipal Buildings.
New Playgrounds.
New Courthouses and Police Stations.
The Need of New Streets.
Transportation Problems.
Public Health and Hospitals.
Convenience Stations.
Laws and Ordinances Relating to the Supervision of Minors.

Such committees would find a great deal to occupy them in the study of these problems, and the preliminary investigations which they would make would do much to clarify the various subjects and expedite such action as may be found to be necessary.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Referred to the Executive Committee.

ABOLITION OF CONSUMPTIVES' HOSPITAL DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, February 13, 1911.

To the City Council:

I desire to recommend, for passage by your honorable body, the accompanying ordinance, abolishing the Consumptives' Hospital Department and transferring its powers and duties to the Board of Health. This is done in accordance with a recommendation made by the Trustees of the Consumptives' Hospital Department in a report to the Mayor under date of September 15, 1910, a copy of which is transmitted herewith.

The Consumptives' Hospital Department was created by the city government on my recommendation, and came into office on May 1, 1906. Since that time this department has been at work on the problem of fighting consumption and has made most commendable progress. At the present time there are accommodations in hospitals owned by the City of Boston at Mattapan for approximately 200 patients in the advanced or dying stage, besides day camp accommodations for 150 more, with 100 beds for advanced cases hired in private hospitals. The Dispensary at Burroughs place has examined to date upwards of 9,000 persons, and its staff of twenty-five nurses are visiting each year about 1,200 families in which tuberculosis exists.

The policy which these trustees have followed from the first was suggested by the best experts that could be consulted, and is probably setting the example for the rest of the world in this particular field. The trustees now find that they have made such progress that their work is impinging on that of the Board of Health, and, in the interest of economical and efficient administration, they believe that the Consumptives' Hospital Department should be under the control and management of that Board. Such a consolidation will in their opinion greatly increase the effectiveness of the work being done, not alone for consumption, but for the public health generally. The trustees feel that the extension of the work of the Consumptives' Hospital Department, under present conditions, would duplicate effort and expense. Inasmuch as this change must be made sometime, and the Consumptives' Hospital Department is now so organized that it can be transferred as a division of the Board of Health, I concur with the trustees in their opinion, and recommend that this ordinance be passed by your honorable body at the earliest moment.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

An Ordinance abolishing the Consumptives' Hospital Department and transferring its powers and duties to the Board of Health.

Section 1. Chapter eighteen of the Revised Ordinances of 1898 is hereby amended as follows: by inserting in line thirteen, section one, after the

word "street," the words "and of the hospital for consumptives," and by adding four new sections as follows:

Sect. 5. Said board shall make all needful and necessary regulations concerning the reception, care, treatment and discharge of patients in the hospitals under its charge; shall admit to the consumptives' hospital only persons who are *bona fide* residents of Boston at the time of application for admission to said hospital. The charges for the support of such inmates of said hospitals as are of sufficient ability to pay, or who have persons or kindred bound by law to maintain them, shall be paid by such inmates, persons or kindred at a rate to be determined by said board, and all amounts so received shall be paid to the City Collector.

Sect. 6. Said board shall in its annual report include a statement of the condition of the hospitals, the number of inmates in each, the admissions thereto and discharges therefrom and the births and deaths therein during the year.

Sect. 7. All the duties imposed upon the Consumptives' Hospital Trustees by statute or ordinance, the employees of said department, and the appropriations for said department, are hereby transferred to the Board of Health.

Sect. 8. Chapter four of the Ordinances of 1906 and chapter four of the Ordinances of 1909, and all ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed.

This ordinance shall take effect on the day of 1911.

—

Boston Consumptives' Hospital,
Trustees' Office, 926 Tremont Building,
September 15, 1910.

Hon. John F. Fitzgerald, Mayor of Boston,
City Hall, Boston, Mass.:

Dear Sir,—Sufficient time has now elapsed since the beginning of the work of the Consumptives' Hospital Trustees, in 1907, to enable the Board definitely to outline its plans for the future, and to advise the city government just what this work means and the financial burden it entails.

The work of constructing hospitals for the advanced cases should, in the opinion of the Board, proceed until there is provided at Mattapan a minimum total of 200 beds for consumptives in the advanced stage, *i. e.*, those who are dying.

For less advanced patients for whom there is little if any hope of recovery, and for whom as a menace to the community its interests require that they should be treated away from their homes, there should be provided a minimum of 200 beds.

The dying cases require a hospital of the general type of the two concrete wards already completed, and having accommodations for about 120 patients. One more building of this type is needed at an approximate cost of $90,000.

The length of the stay in the hospital of these dying cases will not average more than four months each.

For the less advanced cases, buildings of the general type of the two cottage ward buildings already erected, which now have 50 beds, should be erected to accommodate a total of 200 patients. The erection of these additional buildings is estimated to cost approximately $75,000.

A pressing need are beds for cases in children who will not be permitted in the public schools. These wards should have at least 50 beds estimated to cost $50,000.

The necessary additions for administration building, admission building and nurses' quarters; the proper up-keep and maintenance of the farm to supply milk and vegetables to the patients and allow them such opportunity for labor as shall be directed by the physicians is included in the following table:

One more concrete building for dying cases, which when completed will give a total minimum bed capacity for cases of this type, of 200 cases	$90,000
For completion of accommodations for 150 more patients in the cottage ward type of hospital	75,000
To construct wards for care of 50 children,	50,000
Additions to domestic, administration and admission buildings, and nurses' quarters	100,000
For repairs on grounds, machinery, etc., and incidentals	50,000
	$365,000

During the next five years there will be required an average annual maintenance appropriation of at least $225,000. This estimate includes the care in private hosiptals of patients whom the city treated in these hospitals at a cost of $8 a week, under a law which allows the city to hire 100 beds in this manner, which permission expires in 1916.

These figures also contemplate the continuance of the Out-Patient Department at Burroughs place, on practically its present basis. The possible establishment of other dispensaries in various parts of the city similar to that of the Burroughs place Out-Patient Department, at which consumptives may come to be treated by physicians, and from which dispensaries the visiting nurses may go out to spread the doctrine of health education in the homes, where it is most needed, is a matter for future consideration. The educational work of the visiting nurse is most important. Latterly her province has been extended and strengthened, in making her a special agent of the Board of Health. In this capacity she visits all patients reported to the Board of Health and makes careful investigation of the home conditions. This co-operation with the Board of Health puts the sanitary inspection of the home of the consumptive on a firm basis.

The work outlined above, *i. e.*, the care of the advanced cases and the Out-Patient Department for the education and supervision in the home by nurses and physicians, is that which all the authorities in this country and Europe are agreed is the most necessary work to do. It being true that the care of the advanced case is the necessary work to be done, it follows that it should be persisted in until it is reasonably accomplished. To digress into side paths of fragmentary effort is only to delay progress and to interfere with the job in hand.

In the hospital treatment of the advanced cases, the trustees are dealing with the effect of tuberculosis. In the Out-Patient Department we deal with cause as well as effect, but along scientific lines. If any substantial progress is to be made by the city in conquering tuberculosis, the whole question of cause must be gone into and considered from the standpoint of the annual loss to citizens involved, the amount of money already invested and the amount the city can afford to spend. In another year the City of Boston will have spent a million dollars in its tuberculosis work, which, under a strictly business organization, would be certainly under the control of the central health authority in the city—the Board of Health. The Consumptives' Hospital work has been established by an auxiliary health board for this special purpose, and otherwise would probably not have been begun, but the amount of money invested, and the annual maintenance required, demands in future a more business-like organization of all the health activities to co-ordinate effort and increase efficiency.

One of the great mysteries that must appeal to every person who studies health work in Boston is how the laxity in the enforcement of the general health laws of the state, and the twofold burden of expense in health matters which Boston has been compelled to bear, has been so long tolerated. As a result of a petition by the Mayor of Boston, this matter of reorganizing the health administration and of the strict and equal enforcement in Massachusetts of the laws of the state by the State Board of Health, especially in regard to tuberculosis, is now being investigated by a state commission appointed by act of the last Legislature. If this work is properly carried out and adequate recommendations made and adopted, it will mean a more vigorous enforcement of present laws generally throughout the state, and compel all cities and towns to do what Boston is practically alone in now attempting to do. The report of this commission should be watched carefully, and unless equal enforcement of the health laws and relief to Boston from its twofold burden of health expense is recommended, the city authorities should be ready to take the fight into the next Legislature and demand relief.

The central authority of the Health Board should be recognized, and it should be strengthened in power. While the city permits the sanitary and educational effort, which is essentially the duty of the Health Board, to remain unattended to or inefficiently performed, the money spent on tuberculosis is only an attempt to patch up a decrepid population upon whom disease and deterioration have already done their worst. As the situation stands to-day, the city is spending money lavishly

on one hand caring for consumptives, while it is creating on the other, through neglect and incompetency, more than it is curing. To illustrate:

Consumption is transmitted through germs, which are contained in the sputum. There are estimated to be more than 12,000 persons in Boston to-day suffering from this disease, who are sources of danger to their fellow-beings. Every time one of these twelve thousand persons expectorates on a sidewalk or puhlic place there is danger that the germs are carried into homes on women's garments, on shoes, and in countless other ways. In the form of dust, these germs are blown on garments, on the hair and beard, and are breathed in through the mouth and nose. There are stringent ordinances against spitting on the sidewalks and on platforms and other public places, yet during the last year there were less than 100 arrests for violation of these ordinances by the police. One morning in July of this year, a month when people are least likely to be afflicted with colds, and spitting is at the minimum, while street traffic is at its lowest, the nurses from the Out-Patient Department at Burroughs place were instructed to report all the violations of the spitting laws which came under their notice.

While in pursuit of their daily duty, and without going out of their way, these nurses saw in a few hours, 300 violations of the law against spitting on sidewalks, railroad stations, etc. In view of this experience, the less than one hundred arrests during a whole year shows how pitifully lax is the attempt to protect the city in this important detail. The report on Tenement House Conditions, made recently by the Boston 1915, and the disregard of preventable measures generally discernible to the ordinary citizen are all indicative of the causes making not alone for tuherculosis, but for other diseases, and to correct which remedial measures by the municipality are demanded at once. This is not an attempt to supplant the Board of Health or in any way take from its authority. The business-like method of procedure is to add to its authority to discontinue the practice of giving separate functions to other boards, and to put the whole question of the city's health on a more practical and satisfactory basis.

The fight for the reduction of consumption is, strictly speaking, a personal one. It has been demonstrated that tuherculosis can be cured, or to use the technical term, can be "arrested," but for the patient to remain cured and be self-supporting is the great problem still unsolved. Under present conditions, the spending of money by the city in this consumptive work has resulted in taking persons who are in consumption, arresting the disease in them, and then send them out only to find that lacking the ability to continue the life which they had led in the sanatorium, they drop back into sickness again, forcing the city to spend more money in trying to cure them a second time, and eventually to have them die of the disease.

In the handling of tuberculosis, the greater the burden of responsibility put upon the individual the more certain will be the retaining of personal self-respect and capacity for self-support. The tendency towards indiscriminate giving, which is being encouraged, is inculcating the belief that the city should pay all the bills whether the individual can afford to do it personally or not, is breaking down self-respect and adding unnecessarily to the financial burdens of the community, without advancing the real object in view, that of wiping out the disease. The problem of what to do with the patient who having gone through the various sanatoria and comes back an "arrested" case, hut not able to do hard work, is a matter not for the city, but for private charity, which, if the facts are properly presented will no doubt respond. There is no question that the community is willing to provide the means for charity of this nature if its value can be demonstrated.

For such "arrested" cases there should be provided outdoor work on tracts of land purchased for improvement, where such patients selected as to their temperament, habits, etc., can be made self-supporting, while laying the foundation for a future healthy life. Such form of employment might include egg and chicken farms, vegetable farms for the production of vegetables that will be cooked before serving; squab farms and the reclamation of abandoned farms. As all consumptives cannot, however, go to the country or engage in farming, there are a great variety of outdoor city occupations suitable for the "arrested" consumptive, which will enable him to kcep his health. The providing of such employment for these cases is a work of the highest importance, which should be established without delay, because there are already a large number of "arrested" cases in Boston who are in need of such employment, and lacking which will fall back into the disease.

The fight for the final extinction of consumption as a scourge of mankind, depends largely on the treatment of the child. If the child in one generation can be prevented from becoming tuberculous, the problem will have been solved.

The Franklin Park School, no matter how well it is managed, and regardless how noble the motive and sincere the effort, is at best only a trimming off of the diseased leaves of a tree while the causes in the soil and at the root itself, which make for the disease, are left unnoticed and unattended. Because the problem of the future is the child, therefore the method of procedure will never be scientific until we find out exactly the physical condition of the children now in the public schools. For several years promises have been repeatedly made that children would be examined and their exact physical examination recorded at the beginning of the school year, and this examination has never been made. We recommend, therefore, that a scientific and thorough examination of all the children in the public schools be made under the direction of the School Committee or of the Board of Health, or of this department, or, if deemed wise, all working in conjunction, and that a sufficient amount of money be appropriated by the City Council for this end. When this examination, which can be done within a reasonable space of time, and for a comparatively small amount, is made, the city will know exactly how many children there are in Boston who are definitely tuberculous, who are afflicted with diseases which are making for tuberculous conditions, who are anæmic, etc., and how many who are well and require no treatment. At present the guess is that there are upwards of 5,000 children in Boston who are definitely tuberculous, and that in the second class, afflicted with various ailments which will probably finally make for tuberculosis, are 50,000 or upward. The number of anæmic or underfed children nobody knows, but if the city is to devote itself to this work of wiping out tuberculosis by beginning on the child, obviously the first step which would occur to any business man is that the exact situation be determined before any scheme of relief is inaugurated and made a fixed charge on the city.

If this examination is made, the following is suggested as the plan of action.

Children in the advanced stages should be treated in a hospital at Mattapan the same as advanced tuberculous adults are now being treated.

Anæmic and sickly children should be taught in open-air rooms established in every school building. The school authorities should be impressed with the fact that if opening the windows of a room and letting a child study with warm clothing will make a sick child well and improve its capacity for study, that this same treatment will also benefit the child who is well; and that the present system of depending wholly on artificial ventilation and keeping the windows closed may be profitable to manufacturers of ventilating apparatus and the coal dealers, but fresh air, as God makes it, cannot be improved by any architects' device. Under present conditions the janitor now objects to opening the windows because it will increase his coal bill, and it would be unfair unduly to blame him for this, because he depends on his job for a living, and must live within his appropriation; but the school committee should be impressed with the fact that the city is estimated now to be spending $100,000 a year for educating children who die of tuberculosis before they are twenty-one years old, and that it may be possible to so reconstruct the coal problem as not to menace the health of the children committed to their charge.

If, as a result of this examination of Boston school children, there is found a large number of children too definitely tuberculous to be permitted in the open-air rooms of various schools, yet not far enough advanced in the disease for hospital care, one or more day camps, where the physician and teacher may work together, may be established. Your trustees would not wilfully or for a selfish motive interfere in the work of any other department, but it has been impressed on us in so many ways how important an efficient corps of school physicians are in connection with our work, and how much the children have suffered under the

present system, that we feel justified in expressing the hope that this department of health work may speedily be put on an efficient basis. Until the exact facts as to the physical condition of the school children are ascertained by such an expert examination as is proposed, and then only under such regulations as shall make the parents and the children understand that the responsibility to provide clothing and food for children is on the parents whenever possible, and not on the city, should any attempt be made to give food with teaching. Then the important thing is first to find the extent of the problem, and any attempt to solve it without suitable knowledge will be futile.

In connection with the general question of the free hospital treatment in Boston, whether it is one of the city hospitals for acute cases or in this Consumptives' Hospital, there is already too much abuse of medical charity. Thousands and thousands of dollars are lost every year in giving free treatment to patients who can well afford to pay, and the cost of this is coming out of the poor who, in additional taxes, must pay the bills. This matter is important enough to warrant the consideration of the City Council and the establishment of stringent rules whereby every patient receiving hospital treatment in any hospital for acute or chronic disease who is able to pay shall be forced to do so. When the city provides the place for this treatment, it has done all that it is called upon to do. The responsibility for paying for individual treatment is on the individual alone, and not on the city, only when repayment is not possible from private sources.

In addition to the matters previously set forth, arrangements should be made whereby there should be co-operation and affiliation with public and private charities and the proper health authorities, to the end of obtaining adequate, prompt and intelligent relief. The Elberfield system as it is practised in Germany is an excellent method to study in this connection.

The advanced cases of tuberculosis who are in tenements or other places where they are not properly cared for, and who are a menace to the community, should be removed by force by the Health Department, as is now by law permitted, but rarely enforced.

While the work of the Consumptives' Hospital Department was in its infancy, it was probably wise that it should be wholly free, and that the public might be educated as to the necessity for doing this work. It was also probably wise four years ago that this work should be done by an independent department; but the time has come now when the capital invested and the annual maintenance demanded, together with the general spread of knowledge of the people in regard to the dangers of tuberculosis and the ways of preventing it, make a situation where the matter should be faced squarely, and the future decided according to the interests of the city in this work and its capacity to pay the bills.

By order of the Board of Trustees,
EDWARD F. McSWEENEY,
Chairman.

Referred to the Committee on Ordinances, when appointed.

MEMORY OF U. S. S. "MAINE."

The following was received:

City of Boston,
Office of the Mayor, February 13, 1911.

To the City Council:

I beg to transmit, for appropriate action by your honorable body, a communication from the Commander of Roger Wolcott Camp, No. 23, Department of Massachusetts, United Spanish War Veterans, requesting that bells be tolled throughout the city on Wednesday, February 15, 1911, in memory of the heroes of the U. S. S. "Maine."

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Headquarters Roger Wolcott Camp, No. 23,
Department of Massachusetts,
United Spanish War Veterans,
Boston, Mass., February 10, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

Dear Sir,—At a regular meeting of this camp to-night it was unanimously voted to request your Honor to require that bells be appropriately tolled throughout the city on February 15 in honor of the memory of the heroes of the U. S. S. "Maine" who went down to death in Havana Harbor, February 15, 1898.

Very respectfully yours,
P. JOSEPH O'LEARY, Commander.
R. W. CLOGSTON, Adjutant.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, when appointed, viz.:

Claims.

David E. Crawford, for compensation for damage to property at 930 Tremont street by overflow of sewer.

William J. Barrett, for compensation for injuries received while in employ of Public Grounds Department.

Cornelius J. Desmond, for a hearing relative to edgestone assessment of Corbet street.

Mrs. Hannah Lynch, for compensation for damages caused by bursting of water pipe at 116 Havre street, East Boston.

Alie Posner, for compensation for injury to his daughter by a Water Department carriage.

Mrs. Mary C. Emerson, for compensation on account of obstruction of a sewer at 24 Lorraine street.

Abbie Davis, to be paid for injuries caused by a fall on Audubon road.

Samuel Hobbs, for compensation for damage to automobile by a cart of the Sanitary Division.

Amedeo Michienzi, to be paid for damage to his coat caused by a piece of metal projecting from box of Sanitary Division, 156A Tremont street.

Annie E. Bradbury, for compensation for damage to property at 57 Harvest street, Dorchester, caused by the stopping up of drain by the roots of a tree.

James S. Loanes, for compensation for injury to horse by falling into a catch-basin.

County Accounts.

Proprietors of the Social Law Library, for the annual appropriation of $1,000.

Executive Committee.

The Old Colony Railroad Company, that the limits be prescribed within which land may be taken for depot and station purposes at Neponset.

Boston Elevated Railway Company, lessee, for permission to operate as a common carrier of newspapers, baggage, express matter and freight on tracks of West End and Old Colony Street Railways in the City of Boston.

PAYMENT TO MRS. NEEDHAM.

The following was received:

Headquarters Fire Department,
City of Boston, February 7, 1911.

The City Council, City Hall, Boston, Mass.:

Gentlemen,—I have the honor to return herewith the papers in the case of Mrs. Needham, widow of the late Charles T. Needham, a former member of this department.

There appears to be no doubt that Engineer Needham died from a wound received while putting a wooden panel in the door of quarters of Engine Company 16. I have submitted the case to the Corporation Counsel for his opinion, and he has stated that the widow of Engineer Needham is not entitled to a pension under the act, as her husband did not die from injuries received in the performance of his duty in the sense in which the word is used in the act.

Therefore, in my opinion, any annuity for the benefit of Mrs. Needham should not be charged to the Fire Department appropriation.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

The communication and order (referred last year) were referred to the Executive Committee.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted by the Secretary of the Commonwealth were received:

Placed on file.

INVITATION TO MEETING.

An invitation was received from the Forest Hills Citizens' Improvement Association to the members of the City Council to attend the meeting of the association to be held Tuesday evening, March 7, at Francis Parkman School.

Referred to the Executive Committee.

NOTICE OF HEARING.

Notice was received from the Harbor and Land Commissioners of hearing on February 15 on petition of City of Boston for license to widen draw of Meridian Street Bridge.

Placed on file.

STORAGE OF EXPLOSIVES.

Notices were received that certain buildings had been used for the keeping of explosives under license of Board of Aldermen, and of intention to use same for storage for the ensuing year, viz.:

Buick Motor Company, 17–19 Lawton street, Ward 11.

George R. Bascom Company, Inc., 31–33 Stanhope street.

Rowe Contracting Company, Chestnut Hill avenue, Ward 25.

Placed on file.

ATTACHING OF WIRES, ETC.

Copies of orders were received from the Street Commissioners, giving permission as follows, viz.:

New England Telephone and Telegraph Company, to attach wires to three poles on Hewlett street, Ward 23.

The same company, to attach wires to one pole on Havre street, Ward 2.

The same company, to attach wires to three poles on Canterbury street.

The same company, to attach wires to pole on Sumner street, Ward 2.

The same company, to remove fifteen poles on Huntington avenue.

Edison Electric Illuminating Company, to attach wires to four poles on Gladstone street, Ward 1.

Placed on file.

ALTERATION OF LOCATION.

Copy of order from Street Commissioners was received giving permission to West End Street Railway Company to alter location on Centre street West Roxbury, 341st location.

Placed on file and ordered printed.

MINORS' LICENSES.

Coun. BALLANTYNE submitted petitions of fifty-two newsboys and six bootblacks for minors' licenses and recommended approval of the same.

The licenses were granted on the usual conditions.

SOLDIERS' RELIEF.

Coun. BUCKLEY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of February, 1911.

Report accepted; order passed.

BUILDING OF DOCKS.

Coun. ATTRIDGE offered the following:

Resolved, That it is the opinion of the City Council of Boston that immediate action should be taken by the state authorities relative to building of docks on the Boston water front, as we believe that the docks will be let on favorable terms before completion.

Ordered, That a copy of this resolve be forwarded to the Committee on Metropolitan Affairs, the clerk of the Senate, and the clerk of the House.

Coun. ATTRIDGE—Mr. President, the Committee on Metropolitan Affairs at the State House held a hearing on Friday last in reference to the harbor facilities of Boston. The Governor, Mr. Foss, called attention in his inaugural to the lack of proper facilities in the harbor of Boston. Under an Act of the Legislature of 1910, chapter 648, the Board of Harbor and Land Commissioners has the right to expend a sum of $3,000,000 for a term not exceeding forty years, with the approval of the Governor and Council, for the purpose of securing access to land and flats of the Commonwealth on the easterly side of Boston. As I understand, the Committee on Metropolitan Affairs is to consider, or is considering, not only the harbor facilities with reference to East Boston, but the harbor facilities in reference to South Boston. This resolution simply places the City Council on record as favoring, or, at least, as asserting that something should be done by the Legislature to improve the harbor facilities of Boston. And it is a well-known fact that at present we lack proper pier room, and that docks should be built, and this money that the Harbor and Land Commissioners are authorized to expend for the purpose of securing access to the lands and flats of the Commonwealth, should be used for South Boston, if necessary, for the building of docks, so that Boston would benefit by this great advantage.

The resolution and order were passed.

REDIVISION OF WARD 20.

Coun. COLLINS offered an order—That a special committee of three members of the City Council be appointed by the presiding officer to consider the subject of the redivision of Ward 20 by precincts, and report its findings to the Council.

Passed, and the Chair appointed as said committee, Coun. Collins, Kenny and Attridge.

SIDEWALK, SPENCER STREET.

Coun. COLLINS offered an order—That the Commissioner of Public Works be requested to construct sidewalks along both sides of Spencer street, between Athelwold street and Talbot avenue, Ward 20, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

PURE MILK.

Coun. BALLANTYNE offered the following:

Resolved, That the City Council of Boston hereby indorses House Bill No. 1332, introduced by the Massachusetts Milk Consumers' Association, and requests the support of the senators and representatives from Boston on the measure.

Referred to the Executive Committee.

NECESSITY OF BRANCH LIBRARIES.

Coun. ATTRIDGE offered an order—That a special committee of three be appointed by the President, when elected, to investigate and report on the necessity of branch libraries, and the needs of those now in existence, said committee to act in conjunction with the library trustees.

Coun. ATTRIDGE—Mr. President, this order is in line with the communication which we have received to-day from his Honor the Mayor in reference to special committees of the Council to be appointed to look into these various municipal matters which should come before the district meeting. The trustees of the library last year called attention in their fifty-eighth annual report to the need of co-operation on the part of the city, and the City Council with the trustees, to provide better accommodations in various sections of the city. And in the latest report, the fifty-ninth report of the trustees of the Public Library of the city they state,—"We now invite the attention of the City Council especially to the matter of better accommodations for some of our branch libraries and reading room stations, particularly at Charlestown and East Boston, in Ward 6 and in the

district served by the Broadway Extension reading room. An examination of these branches and reading rooms, which we trust will be made, will show what they are more forcibly than any description we can give in this report."

The order was passed.

PAYMENT FOR EXTRA DUTY.

Coun. McDONALD offered an order—That there be allowed and paid to Edward McHugh and Patrick J. Lahey the sum of $200 each per annum as part compensation for extra services rendered at meetings of the City Council and committees thereof, such payments to continue until otherwise ordered by the City Council or until the services cease to be rendered, and to be charged to the appropriation for City Council, incidental expenses.

Passed.

PRINTING OF MUNICIPAL REGISTER.

Coun. KENNY offered an order—That the Statistics Department be authorized, under the direction of the Committee on Rules, when appointed, to prepare and have printed the Municipal Register for 1911, and that said committee be authorized to prepare and have printed a pocket edition of the organization of the city government, the expense thus incurred to be charged to the appropriation for City Documents.

Passed.

RINGING OF BELLS.

Coun. KENNY offered an order—That his Honor the Mayor be requested to cause the bells to be rung at nine o'clock in the morning, at noon and at sunset on Lincoln's Birthday, Washington's Birthday, Evacuation Day, Patriot's Day, Seventeenth of June, Fourth of July, Labor Day, Columbus Day, Thanksgiving Day, centenary anniversary of the birth of Wendell Phillips (November 29) and Christmas Day, the expense attending the same to be charged to the appropriation for City Council, incidental expenses.

Passed.

EXPENSE OF HEARINGS.

Coun. BUCKLEY offered an order—That the several committees of the City Council be authorized to give hearings at their discretion on matters referred to them, the expense of the same and the expense of hearings which may be given by the City Council to be charged to the appropriation for City Council, incidental expenses.

Passed.

HALF HOLIDAY, EVACUATION DAY.

Coun. BUCKLEY offered an order—That the heads of departments be authorized to allow a half holiday, without loss of pay, on Evacuation Day, March 17, to all city employees participating in the parade in observance of the said day.

Passed.

DISPLAY OF FLAGS.

Coun. McDONALD offered an order—That the City Messenger be requested to cause the flags to be displayed on the public flagstaffs, until otherwise ordered, on the dates and for the occasions named in the following schedule, viz.:

January 17, Franklin's Birthday.
February 12, Lincoln's Birthday.
February 22, Washington's Birthday.
March 17, Evacuation Day.
April 19, Patriots' Day.
April 27, Grant's Birthday.
May 30, Memorial Day.
June 14, Anniversary of the adoption of the national colors.
June 17, Bunker Hill Day.
July 4, Independence Day.
September 4, Labor Day.
September 17, Anniversary of the settlement of Boston.
October 12, Columbus Day.
November 29, Centenary birthday of Wendell Phillips, and whenever any of the above named days fall on Sunday, shall display the colors on the following day, the expense attending the same to be charged to the appropriation for City Council, incidental expenses.

Passed.

PRINTING OF DOCUMENTS.

Coun. ATTRIDGE offered an order—That the expense of printing documents ordered printed by the City Council during the present financial year be charged to the appropriation for City Documents.

Passed.

EXPENSE OF HEARINGS.

Coun. BALLANTYNE offered an order—That, until otherwise ordered, the expense incurred for the advertising by the city of hearings before state officers and boards, for the advertising of elections and for the publication of ordinances and regulations, be charged to the appropriation for City Council, incidental expenses.

Referred to the Executive Committee.

CONFIRMATION OF APPOINTMENTS.

Coun. BALLANTYNE called up unfinished business, No. 2, viz.:

2. Action on appointments submitted by the Mayor February 6, 1911, of Joseph F. Amrhein, Arthur B. Cudworth, John H. Donaher, Peter M. Farrell, Karl S. Hart, William Green, Mary L. Greenberg, John T. Matthews, Fred Thomson and Augustus Wellings to be Weighers of Coal for the term ending April 30, 1911.

The question came on confirmation. Committee—Coun. Kenny and Attridge. Whole number of ballots cast 8, yeas 8, and the appointments were severally confirmed.

MATTERS REFERRED FROM LAST YEAR.

Coun. BALLANTYNE called up unfinished business, Nos. 3, 4, 5, 6, viz.:

Action on the following matters referred from last year, viz.:

3. Message of Mayor and orders to transfer $5,000 to appropriation for Strandway, Grading, etc., and $1,667.28 to appropriation for Playgrounds, Ward 13.

Order for a loan of $100,000 for the widening of Norfolk street.

Order requesting a transfer for the construction of a tunnel at Bay street.

Communication from Superintendent of Streets relative to construction of tunnel at Bay street.

Question on reference to the Committee on Finance, when appointed.

4. Message of Mayor and ordinance relative to prohibiting children on street in the business district after nine o'clock p. m.

Message of Mayor and communication from Police Commissioner relative to amendments to ordinance relating to parks and public grounds.

Message of Mayor in reference to establishing fees for certain permits.

Ordinances establishing fees for certain permits granted by the Street Commissioners.

Ordinance concerning the Public Grounds Department and the care of shade trees. (Contained in Doc. 138.)

Question on reference to the Committee on Ordinances, when appointed.

5. Communication from A. J. Johnson relative to sale of land on Gibson street and Dorchester avenue.

Message of Mayor and order to release to J. H. Mann certain land taken by the city for schoolhouse purposes on Common and Warrenton streets.

Message of Mayor and order releasing to the Old Colony Trust Company, Trustee, land on Hemenway street and the Fenway.

Question on reference to committee on Public Lands, when appointed.

6. Communication from City Messenger requesting additional assistance in his office.

Order to employ Frederick J. Glenn as assistant to the City Messenger.

Message of Mayor transmitting protest of the Faneuil Improvement Association against establishing an incinerator in the Brighton district.

Question on reference to the Executive Committee, when appointed.

No. 3 was referred to the Committee on Finance, when appointed; No. 4 was referred to the Committee on Ordinances, when appointed; No. 5 was referred to the Committee on Public Lands, when appointed; No. 6 was referred to the Executive Committee.

RECESS TAKEN.

The Council voted, at 3.55 o'clock p. m., on motion of Coun. KENNY, to take a recess subject to the call of the Chair.

The members of the Council reassembled in the Council Chamber and were called to order by the Chair at 5.42 o'clock p. m.

EXECUTIVE COMMITTEE.

Coun. HALE, for the Executive Committee, submitted the following:

(1) Report on order (referred to-day) that expense incurred for advertising by the city for hearings, etc., be charged to the appropriation for City Council, incidental expenses, that the order ought to pass.

Report accepted; order passed.

(2) Report on message of Mayor, communication and order (referred to-day) authorizing the sale of old fireboat formerly known as Engine 31 for the sum of $2,555 to Thomas Butler & Co.—that the order ought to pass.

Report accepted; order passed.

(3) Report on order (referred last year) for payment of annuity of $300 per year to Mrs. Jenny N. Needham, widow of Charles T. Needham, late a member of the Fire Department—that the order ought to pass.

Report accepted; order passed.

PRESIDENT TO APPROVE PAY ROLLS, ETC.

Coun. BALLANTYNE offered an order—That the President of the City Council be and he is hereby authorized to approve the pay rolls of the employees, the bills contracted by the Clerk of Committees and City Messenger, and also the incidental expenses that may be incurred on account of the City Council until otherwise ordered, the same being charged to the appropriation for City Council, incidental expenses, and that until the election of a president the foregoing authority be conferred upon the acting president.

Passed.

BALLOTS FOR PRESIDENT.

On motion of Coun. KENNY the Council voted to proceed to ballot for president.

Coun. KENNY—Mr. President, having voted now to proceed to ballot, I desire to offer a few remarks. When this Council organized a year ago of course it was the first organization under the new charter. There were very many of the members who had more or less experience in public service, and they naturally were in a receptive state. As one who is not a candidate for the presidency of this Council at this time, I desire to say that I think we should lay down a rule for our future guidance in the selection of a president. It is the custom everywhere throughout the world, when a man has received the votes of his neighbors and the people who send him to fill an office, that if he performs his duties honestly, efficiently and satisfactorily, they shall indicate that he has done so, that they shall put the stamp of approval on those acts by re-electing him. In this body we have had a president of the Council who has discharged his duties for the past year with efficiency, integrity and ability. I think President Ballantyne's conduct from one end of the year to the other has been such as to reflect credit upon this Council and the manner and method in which we have performed the business of the city. It seems to me under the circumstances that the members owe it to the President, having served one year, to re-elect him to that office. I have the very highest personal regard for the gentlemen whose names have been mentioned here for this office. Both are personal friends of mine. But now we are here not as a political body. There is no party designation attached to the name of any man sitting in this body. We are here with one year's public service behind us, one year's experience, and it seems to me, as I said at the outset, that we could not do better for the city, that we could not do better for the integrity of this body, than to put the stamp of approval on the man who has acted as president for the past year. For that reason I shall vote for the present presiding officer when the time comes.

Coun. BUCKLEY—Mr. President, do I understand that the motion that we proceed to ballot for a president has passed the Council?

Chairman BALLANTYNE—Yes.

Coun. BUCKLEY—Mr. President, I move a reconsideration of the vote whereby we voted to ballot for a president for the ensuing year. I do this being one of the minority of two who are members of this Council, the other member being unable to be here. He is as much a member of the Council as any member sitting here. He has just been elected to Congress by the people of his district. He is a truly representative man and has served the city in the Board of Aldermen longer than any man who has ever served in the upper branch of the city government. Therefore, gentlemen, I hope you will postpone electing a president until Mr. Curley returns here so that he can participate in the election. I appeal to your fair-mindedness and sense of justice to do that before proceeding to the election of a president.

Reconsideration was declared lost. Coun. BUCKLEY doubted the vote and asked for the yeas and nays.

Reconsideration was lost, yea 1; nays 5:

Yea—Coun. Buckley—1.

Nays—Coun. Attridge, Hale, Kenny, McDonald, Smith—5.

The question came on electing a president, and the members voted, announcing their choice as their names were called, with the following result:

For Walter Ballantyne—Coun. Ballantyne, Kenny, Smith—3.

For John J. Attridge—Coun. Attridge, Hale, McDonald—3.

For Walter L. Collins—Coun. Buckley, Collins—2.

And there was no choice.

On motion of Coun. HALE the Council voted to proceed to ballot for president three successive times. The three ballots were taken, with the same result as on the first, there being no changes, and there was no choice for president of the Council.

GENERAL RECONSIDERATION.

On motion of Coun. KENNY the Board refused a general reconsideration of all action taken to-day.

Adjourned, on motion of Coun. KENNY, at 5.53 p. m., to meet on Monday, February 20, at 3 p. m., unless sooner called together by the Chair.

CITY OF BOSTON.

Proceedings of City Council.

Wednesday, February 15, 1911.

Special meeting of the City Council, held in the Council Chamber, City Hall, at one o'clock p. m. for the purpose of drawing jurors, Coun. BALLANTYNE, senior member, in the chair and a quorum present.

Fifteen traverse jurors were drawn for the Superior Civil Court, Fourth Session, January sitting, to appear February 23, 1911, in accordance with the provisions of chapter 514, Acts of 1894, viz.:

John J. McDonald, Ward 25; Harry S. Jordan, Ward 1; Joseph F. Mann, Ward 23; Eldon A. Clark, Ward 20; James P. Grimes, Ward 8; Osborne R. Perry, Ward 25; Robert C. E. Sturn, Ward 22; Max P. Kelm, Ward 16; William T. Rand, Ward 25; Aron Rabinowitz, Ward 8; Michael F. Lorden, Ward 16; William H. Rietzel, Ward 22; Teodor Singer, Ward 8; James E. Murphy, Ward 25; Howard L. Shurtleff, Ward 11.

Adjourned at 1.16 p. m.

Wednesday, February 15, 1911.

Special meeting of the City Council, held in the Council Chamber, City Hall, at 1.30 o'clock p. m., Coun. BALLANTYNE, senior member, in the chair. Absent—Coun. Curley, Hale, Kenny.

The Clerk read the call for the meeting, as follows:

City of Boston,
Office of the Mayor, February 15, 1911.

To the Members of the City Council:

You are hereby requested to assemble in the City Council Chamber on Wednesday, February 15, 1911, at 1.30 p. m., for the purpose of electing a president.

Owing to my intention of leaving the city on Friday for a short vacation, it seems desirable that your body should elect a president, who, under the provisions of section 47, chapter 486, of the Acts of 1909, may serve as Acting Mayor during the period of my absence.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

Coun. BUCKLEY—Mr. President, in view of the fact there are so many members of the Council absent, and it is absolutely impossible for some of them to attend this meeting, and in view of the fact that Coun. Curley will make a special effort to be present at the meeting next Monday—in justice to him and the other members of the Council I move that the meeting be adjourned until Monday next at three o'clock p. m.

The motion was carried and the Council stood adjourned to meet on Monday next at three o'clock p. m.

Wednesday, February 15, 1911.

Special meeting of the City Council, held in the Council Chamber, City Hall, at five o'clock p. m., Coun. BALLANTYNE, senior member, in the chair. Absent—Coun. Curley.

The Clerk read the call for the meeting, as follows:

City of Boston,
Office of the Mayor, February 15, 1911.

To the Members of the City Council:

You are hereby requested to assemble in the City Council Chamber on Wednesday, February 15, 1911, at 5 p. m., for the purpose of electing a president.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

Adjourned at 5.18 o'clock p. m., on motion of Coun. COLLINS.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 20, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., Coun. BALLANTYNE, senior member, in the chair. Absent—Coun. Curley.

The Council voted, on motion of Coun. HALE, to dispense with the reading of the records of the last four meetings.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894, viz.:

Seventeen petit jurors, United States Circuit Court, February term, to appear March 7, 1911:

William J. Curley, Ward 22; Charles A. Lind, Ward 14; George I. Sliney, Ward 14; George A. Parkinson, Ward 23; George Batty, Ward 18; Chester W. Dudley, Ward 12; George T. Whaland, Ward 24; Joseph F. Gallagher, Ward 22; Thomas T. Foley, Ward 12; Edward M. Barron, Ward 1; George H. Whynot, Ward 1; William F. Maier, Ward 22; Thomas McCann, Ward 17; Patrick J. McCarthy, Ward 20; Andrew P. Lehmann, Ward 17; John Howell, Ward 9; William W. Scott, Ward 15.

Forty-one traverse jurors, Superior Criminal Court, Second Session, to appear March 6, 1911:

William R. Beale, Ward 21; William Healy, Ward 20; James J. Hardy, Ward 17; Frederick Cote, Ward 8; James H. Murray, Ward 16; George V. Flemming, Ward 13; Charles A. MacKinnon, Ward 15; Thomas H. Downey, Ward 23; Patriek F. D. Cunningham, Ward 14; Thomas Grieve, Ward 17; John McMahon, Ward 23; James Owens, Ward 25; H. Hooper Lawrenee, Ward 11; Samuel M. Semon, Ward 8; Edward W. Mannix, Ward 25; David T. Trice, Jr., Ward 10; Fred E. Marshall, Ward 24; William L. Fink, Ward 22; Joseph W. Cavanaugh, Ward 18; Daniel H. Pitts, Ward 17; Philip Tessier, Ward 20; Thomas J. Whyte, Ward 19; Frederick B. Munro, Ward 22; E. Harvey Sampson, Ward 11; Henry J. D. Small, Ward 14; Frederick A. Perry, Ward 21; Edward C. Gifford, Ward 15; William H. Hawthorne, Ward 3; Martin S. Zerega, Ward 24; Frank O. Nourse, Ward 17; Gabriel P. Campbell, Ward 3; John E. Cronin, Ward 17; Frank H. Chambers, Ward 22; Edward P. Fouhy, Ward 4; Percy L. Dame, Ward 20; Frank W. Moulton, Ward 10; Michael J. Desmond, Ward 2; Edson E. Chick, Ward 12; Thomas Shute, Ward 14; Benjamin D. Weston, Ward 14; William Nelson, Ward 2.

Forty-one traverse jurors, Superior Criminal Court, First Session, to appear March 8, 1911:

Dennis C. Wholly, Ward 24; Martin M. Meehan, Ward 25; Daniel W. Weis, Ward 21; William A. Hunt, Ward 20; Herbert E. Cobleigh, Ward 9; Stephen Dondero, Ward 6; Samuel T. Thorson, Ward 14; John S. Manning, Ward 15; Dennis J. Sweeney, Ward 23; Julius N. Peyser, Ward 8; Wilfred E. Souther, Ward 15; John F. Liston, Ward 23; Arthur W. Hopkins, Ward 25; Charles B. Morrill, Ward 11; Frederick H. Capper, Ward 11; Walter M. Hart, Ward 21; Addis W. Dempsey, Ward 21; Stephen F. Lambert, Ward 22; George H. Philbric, Ward 18; Lawrence J. Denning, Ward 11; Henry M. Mudgett, Ward 23; Richard F. O'Leary, Ward 14; George P. Laming, Ward 17; James W. Booth, Ward 14; Russell F. Smith, Ward 20; Arthur D. Gibson, Ward 10; Frederick J. Grasser, Ward 16; John J. Murphy, Ward 20; David Milton, Ward 8; George S. Newell, Ward 16; John J. Keenan, Ward 15; Thomas J. Mitchell, Ward 22; John Morrison, Ward 19; William M. Atkinson, Ward 14; Sumner J. Gilbert, Ward 16; Thomas F. Brown, Ward 15; David M. Kenny, Ward 21; Ernest Kitson, Ward 19; William H. Grueby, Ward 24; John J. Cushing, Ward 9; Louis McCarthy, Ward 23.

APPOINTMENT BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1911.

To the City Council:

Subject to confirmation by your honorable body, I hereby appoint Charles S. Mansfield (8 Pinckney place, Somerville) a Weigher of Coal for the term ending April 30, 1911.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Laid over under the law.

FOOTBRIDGE, NEW YORK, NEW HAVEN & HARTFORD RAILROAD.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1911.

To the City Council:

I beg to transmit a petition asking for a tunnel or footbridge within the city limits, at or near the Hyde Park line and over the tracks of the New York, New Haven & Hartford Railroad, together with a letter from the secretary of the Board of Street Commissioners, giving an estimate of the cost of this improvement.

Respectfully,
JOHN F. FITZGERALD, Mayor.

The petition was signed by Paul G. W. Anderson and very many others.

City of Boston,
Street Laying-Out Department,
City Hall, February 13, 1911.

Hon. John F. Fitzgerald,
Mayor:

Dear Sir,—Complying with your suggestion of a few days ago the Board of Street Commissioners has made an examination of the territory between Hyde Park avenue and Clifford street, West Roxbury, close to the Hyde Park line, with a view to the erection of a footway over the railroad at this point.

The only desirable location for such a footway would be at a point about three hundred feet north of the Hyde Park line, wholly within Boston territory. A bridge would need to be erected, and because of the deep cut through which the railroad passes and the high embankments a span of one hundred and seventy-five feet would be necessary. Such a bridge would cost at least $10,000.

The Board does not think it advisable to build the bridge at this time. If it is to be built at all it should await the laying out and construction of Clifford street. The only approach to Clifford street at its southerly end is by way of Grew avenue, a private way. At this point Clifford street has a 20 per cent grade, an uninviting prospect for those who might want to use the footbridge.

To build the bridge now with its approach from Clifford street at its present grade would mean that when Clifford street shall have been laid out this work would all have to be torn away and a new approach made to meet the new grade at Clifford street, which would be eighteen feet lower than the present grade.

To make Clifford street a public way would cost about $20,000, which, with the $10,000 required for the bridge, would necessitate a total expenditure of $30,000. The developments within the territory which would be served by these two improvements does not warrant the expenditure.

Very truly yours,
J. J. O'CALLAGHAN, Secretary.

Referred to the Committee on Finance, when appointed.

CITY BORROWING CAPACITY.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1911.

To the City Council:

I beg to transmit a communication from the Board of Commissioners of Sinking Funds, with appended tables, estimating the amount which the city will

be able to borrow during the present municipal year within the debt limit established by law.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Board of Commissioners of Sinking Funds,
City Hall, February 15, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

Sir,—In accordance with the provisions of chapter 93, Acts of 1891, it is estimated that the amount which the city will be able to borrow during the present municipal year within the debt limit established by law is $3,780,983.47, as per schedule annexed.

Respectfully,
JAMES W. DUNPHY,
MAX E. WYZANSKI,
W. PRENTISS PARKER,
W. F. FITZGERALD,
Board of Commissioners of Sinking Funds.
J. ALFRED MITCHELL,
City Auditor.
C. H. SLATTERY,
City Treasurer.

RIGHT TO BORROW IN 1911.

Total funded debt, city and county, January 31, 1911		$115,074,489 33
Less special loans (outside of limit)	$57,461,000 00	
Cochituate water debt	3,328,500 00	
County debt (outside of limit)	3,456,333 33	
		64,245,833 33
		$50,828,656 00
Sinking funds	$40,904,046 25	
Less special loans sinking funds	$16,856,809 18	
Cochituate water sinking fund	2,941,734 55	
County courthouse sinking fund	1,373,656 23	
	21,172,198 96	
		19,731,846 29
Debt, excluding debts outside of limit and deducting sinking funds for said debt		$31,096,809 71
Two and one-half per cent on $1,355,416,829, average valuation for three years, less abatements		$33,885,420 72
Debt as above		31,096,809 71
		$2,788,611 01
March 1, 1911, interest on investments		472 50
April 1, 1911, interest on investments		120,247 85
May 1, 1911, interest on investments		2,030 00
May 30, 1911, interest on investments		4,470 00
June 1, 1911, interest on investments		19,493 75
July 1, 1911, interest on investments		183,106 63
July 1, 1911, serial bonds paid from appropriation		158,000 00
Sept. 1, 1911, interest on investments		472 50
Oct. 1, 1911, interest on investments		120,247 85
Oct. 1, 1911, serial bonds paid from appropriation		17,000 00
Nov. 1, 1911, appropriation for debt		1,000,341 00
Nov. 1, 1911, interest on investments		2,030 00
Nov. 30, 1911, interest on investments		4,470 00
Dec. 1, 1911, interest on investments		19,493 75
Jan. 1, 1912, interest on investments		182,746 63
Jan. 1, 1912, serial bonds paid from appropriation		62,750 00
Jan. 1, 1912, interest on bank deposits		30,000 00
		$4,715,983 47
Less loans authorized but not issued (inside debt limit)		935,000 00
Right to borrow		$3,780,983 47

Referred to the Committee on Finance, when appointed.

NEW BUILDING, CITY HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1911.

To the City Council:

House Bill No. 576, which proposed to authorize the city to expend outside of the debt limit a sum not exceeding three hundred thousand dollars ($300,000) for the construction of a new building for the contagious department of the Boston City Hospital, has been withdrawn at my suggestion, there being no justification in the present state of the borrowing capacity of the city for a loan outside of the statutory limit of indebtedness. The original question, however, of the immediate need of a building for this purpose is still before the city authorities and is well set forth in the accompanying letter of the president of the Board of Hospital Trustees. I desire to recommend that your honorable body give careful consideration to his views and would suggest that you appoint a committee to investigate the subject with a view to determining the proper cost of an adequate structure. An order providing the necessary amount by a loan order within the debt limit would meet with my approval.

Respectfully,
JOHN F. FITZGERALD, Mayor.

The Boston City Hospital,
Boston, February 17, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—In reply to your esteemed favor of the 16th inst., I beg to say, on behalf of the trustees, that they are in full accord in regard to the withdrawal of House Bill No. 576, inasmuch as the borrowing capacity of the city will enable the loan to be made within the statutory limit of indebtedness. They are much gratified that your Honor will recommend to the City Council a loan order for the necessary amount, and it was therefore voted to reiterate and repeat the vote relating thereto dated December 2, 1910, as follows:

Voted, That the president be authorized to request a loan appropriation of $297,800 for new buildings, changes and additions at the South Department, approximated as follows:

Changes in East Pavilion	$6,000
Changes in West Pavilion	6,000
Additional story to laundry building	14,800
New six-story ward building	196,000
Alterations to Paine buildings	33,000
Connecting corridors, pipes and tunnels	20,000
Yard wall	8,000
Contingent and administrative expenses	14,000
	$297,800

In order that the pressing necessity for enlarging the South Department may be better understood by the honorable Council, I herewith inclose a copy of my letter to your Honor dated December 2, 1910. The trustees desire also to have me call the attention of your Honor to the fact that no contracts can be made until the appropriation has been granted by the city government, and therefore it is urgent that the amount should be voted at the earliest possible moment, so that the trustees may proceed with their plans, specifications and contracts.

I have the honor to be, on behalf of the trustees,

Respectfully yours,
A. SHUMAN,
President Board of Trustees.

The Boston City Hospital,
Boston, December 2, 1910.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

Dear Sir,—At a meeting of the Board of Trustees to-day the matter of an appropriation for the construction of buildings on the ground lately purchased from the Robert Treat Paine estate was considered.

The constant increase in the population of the City of Boston necessarily increases the number of infectious diseases. During the past three years the city has suffered so much from these vexatious diseases that the South Department has been overcrowded for a portion of each year. Its normal capacity is 250 patients, but the stress has been so great that at times this number has been increased to 400 to the detriment of the welfare of the patients. In addition to this the city has been obliged to board out a great many patients at the Haines Hospital and other institutions during the time mentioned, which is not only detrimental to the public health, but adds materially to the expense of caring for the patients over the cost to the hospital management within its sphere.

It is therefore of the utmost importance that adequate provision should be made for the treatment of this class of diseases and to properly take care of all applicants ill with diphtheria, scarlet fever and measles.

It is a source of satisfaction to the trustees that Boston was the first city to establish a separate hospital for infectious diseases. Your Honor may possibly remember that about three years ago, during your former administration, an appeal was made to you for a measles pavilion. You generously and with a full appreciation of the importance of this ward recommended the necessary sum for its erection. This Measles Pavilion has accomplished a great deal of good and has filled a long-felt want, for until its erection there was no place to send a patient ill with measles.

The trustees feel, therefore, that your Honor, as well as the honorable City Council, will recognize the importance of enlarging the accommodations at the South Department at the earliest possible moment. After carefully considering the matter, and going over several plans that have been submitted for their inspection, the trustees most respectfully ask your Honor to recommend a loan appropriation of $297,800 for new buildings, changes and additions at the South Department, approximately as follows:

Changes in East Pavilion	$6,000 00
Changes in West Pavilion	6,000 00
Additional story to laundry building	14,800 00
New six-story ward building	196,000 00
Alterations to Paine buildings	33,000 00
Connecting corridors and pipes and tunnels	20,000 00
Yard wall	8,000 00
Contingent and administrative expenses	14,000 00
	$297,800 00

The trustees, fully appreciating your Honor's great interest in the hospital and your co-operation for the welfare and alleviation of the sick, and especially for those unfortunately stricken with contagion, ask you kindly to recommend to the honorable Council the appropriation of the above mentioned sum.

I have the honor to remain, on behalf of the trustees,

Respectfully yours,
A. SHUMAN,
President Board of Trustees.

Referred to Committee on Finance, when appointed.

CHANGES, ELEVATED RAILWAY.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1911.

To the City Council:

I transmit herewith, in order that they may be placed in the files of the City Clerk, plans showing proposed modifications and changes in the elevated structure, platforms and station and approaches thereto, in Main, Beacham and Alford streets and Sullivan square, Charlestown, in order to adapt the same to the running of eight-car trains and to provide a connection for the proposed extension of the elevated railway to Malden.

I have approved these plans in writing as to architectural appearance and obstruction to light and air, in accordance with the provisions of chapter 500 of the Acts of 1897.

Respectfully,
JOHN F. FITZGERALD, Mayor.

(Annexed were plans referred to.)
Placed on file.

TRACK LOCATION, BEACON HILL.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1911.

To the City Council:

I transmit herewith, in order that it may be placed in the files of the City Clerk, a plan showing the form and method of construction proposed and the proposed location of the tracks and elevated structure from the westerly terminus of a tunnel from the Park Street Subway Station, under Beacon Hill, to a point near the intersection of Grove place and Grove street, Boston, through and over public streets and private ways and lands to Cambridge Bridge.

I have approved this plan in writing as to architectural appearance and obstruction to light and air, in accordance with the provisions of chapter 500 of the Acts of 1897 and chapter 520 of the Acts of 1906.

Respectfully,
JOHN F. FITZGERALD, Mayor.

(Annexed were plans referred to.)
Placed on file.

EXPENSES OF ADVERTISING, ETC., VETO.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1911.

To the City Council:

I return herewith, without my approval, an order passed by your honorable body at its meeting of February 13, 1911, providing that the expenses incurred for the advertising by the city of hearings before the state officers and boards, for the advertising of elections and for the publication of ordinances and regulations, be charged to the appropriation for City Council, Incidental Expenses. These expenses have until recently been charged to the City Clerk's office and, in my opinion, properly belong in that department. I shall recommend, therefore, that an appropriation be made for the City Clerk this year adequate to provide for expenses under this general head.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

DEPARTMENT CONSOLIDATION, VETO.

The following was received:

City of Boston,
Office of the Mayor, February 14, 1911.

To the City Council:

I return herewith, without my approval, an ordinance passed by your honorable body at its meeting of February 4, abolishing the Bath, Music and Public Grounds Departments and transferring their duties to the Park Department. My objection is not so much to the substance of the ordinance as to its form. Apparently the City Council has done no more than absorb the Bath, Music and Public Grounds Departments into the existing Park Department with its present board of commissioners, modified only by the awarding of a salary of $5,000 per annum to the chairman. What I had hoped, in recommending in a communication of an earlier

date the general subject to your consideration, was the framing of an ordinance which should not merely consolidate but reorganize the entire recreation service of the city.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

PAYMENT OF COPLEY TRUST TAXES.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1911.

To the City Council:

In reply to the order of the City Council, passed at its meeting of February 4, 1911, "that his Honor the Mayor be requested to investigate the published statement that the Art Museum property was purchased by the Copley Square Trust in 1902, and that said trust evaded paying taxes on said property for a number of years, and if said statement is found to be true that his Honor the Mayor take the necessary legal steps to collect all taxes owed on said property," I beg to transmit a report from the secretary of the Board of Assessors, which gives a history of the case as complete as the facts in the possession of the Assessing Department will permit. I am informed that the taxes for 1909, referred to in the report, amounting to $25,792.80, were paid under protest on November 2, 1909.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Assessing Department,
February 16, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

Sir,—In the matter of the order of the City Council, passed February 4, 1911, in regard to the taxation of the Art Museum property and referred to this department, we respectfully submit a brief statement of the material facts as follows:

The Museum of Fine Arts, which is a corporation entitled to an exemption under the third clause of section 5, part 1 of chapter 490 of the Acts of 1909, having determined to remove from its present location in Copley Square to its present site in the Fenway, in 1902 entered into an agreement with the Copley Square Trust, in which it was agreed to convey the Copley Square property to the trust, for which the trust agreed to pay the sum of one million eight hundred thousand dollars ($1,800,000), of which five hundred thousand dollars ($500,000) was to be paid upon the date of agreement, five hundred thousand dollars ($500,000) in June, 1904, five hundred thousand dollars ($500,000) in June, 1905, and the balance, three hundred thousand dollars ($300,000), in 1907, 1908 or 1909, at the option of the museum.

In pursuance of agreement the museum executed a deed of the Copley Square property, under date of June 20, 1902, to the trust, which deed was placed in the hands of the Old Colony Trust Company, in escrow, to be delivered to the trust when the price was fully paid.

Upon the sums advanced by the trust the museum agreed to pay interest at the rate of 3½ per cent per annum.

The money was advanced as agreed and the museum continued to occupy the property until June, 1909, when the final payment was made and the deed was delivered to the trust and placed upon record at the Registry of Deeds.

When the above facts came to the knowledge of this department they were submitted to the Law Department, and we were advised by that department that the title to the Copley Square property did not pass until the delivery of the deed, to wit, on or about June 19, 1909, and that on May 1, 1909, the property, being owned and occupied by the museum, was exempt from taxation for that year. We were also advised that, while the question was possibly not free from doubt, it was the opinion of the department that the trust was taxable upon the amount advanced to the museum and upon which interest was being paid as personal property subject to taxation under the second clause of section 4 of said chapter 490, and this Board placed a personal tax upon said trust of $1,563,200. Of this amount one million five hundred thousand dollars ($1,500,000) was on account of the money paid as above stated.

We would also say that in October, 1909, the matter was taken up by the District Attorney, who investigated and reported that there was no basis for any action by him.

Respectfully,
BOARD OF ASSESSORS,
by CHARLES E. FOLSOM,
Secretary.

Placed on file.

TRANSFER OF BALANCE.

The following was received:

City of Boston,
Office of the Mayor, February 13, 1911.

To the City Council:

In compliance with the request of the president of the Board of Hospital Trustees, contained in the accompanying letters, I desire to recommend the passage of an order transferring two small balances from the loans for equipment of the East Boston Relief Station and equipment of the Measles Ward, respectively, to the appropriation for Hospital Buildings Improvements. An order which will effect this transfer is submitted herewith and I would respectfully urge its passage at an early session of your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

The Boston City Hospital,
Boston, February 3, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—I respectfully request that your Honor transfer the balances for the equipment of the East Boston Relief Station and equipment of the Measles Ward to the appropriation for Hospital Buildings, Improvements. These balances are as follows:

Equipment, East Boston Relief Station,	$1,314 43
Equipment, Measles Ward.....	378 72
	$1,693 15

I have the honor to remain, on behalf of the trustees,

Respectfully yours,
A. SHUMAN,
President Board of Trustees.

—

Boston City Hospital,
Boston, February 10, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—In reply to your communication of February 6, in which you ask for what purpose the money that is to be transferred to the Hospital Buildings, improvements, appropriation is to be used, I have to say that this money will be used for changes in the entrance office, and for certain other permanent improvements. This change in the entrance office is imperative, in order to improve the service and facilitate the transaction of business. There is a certain amount of money at the present time in the Hospital Buildings, improvements, appropriation. The City Auditor, however, says that this money must not be used for any purpose until the settlement of the claim of S. Brennan. This claim has been in litigation since September 19, 1896.

I have the honor to remain, on behalf of the trustees,

Respectfully yours,
A. SHUMAN,
President Board of Trustees.

—

Ordered, That the City Auditor be, and hereby is, authorized to transfer a balance of $1,314.43 remaining from the appropriation for equipment of the East Boston Relief Station, and a balance of $378.72 remaining from the appropriation for equipment of Measles Ward to the appropriation for Hospital Buildings, Improvements.

Referred to the Executive Committee.

USE OF GOVERNOR'S ISLAND.

The following was received:

City of Boston,
Office of the Mayor, February 16, 1911.

To the City Council:

I beg to transmit for the information of your honorable body a letter from the Major-General

Commanding, Department of the East, relating to the opportunity to make use of Governor's Island in Boston Harbor which was afforded the authorities of this city by the joint resolutions of Congress, approved June 5, 1902. This privilege has not been accepted by the city government of Boston and Major-General Grant writes to inquire whether it is the intention of the authorities to take advantage of the permission given to develop the island.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Inspector General's Office,
Governor's Island, New York City,
February 8, 1911.

The Honorable the Mayor of Boston,
Boston, Massachusetts:

Sir,—I have the honor to quote for the information of the authorities of the City of Boston the following extract from a report of an inspection of Fort Winthrop, Governor's Island, Boston Harbor, Mass., made November 1, 1910, by Major Gordon G. Heiner, Coast Artillery Corps, Acting Inspector General, with extracts from an indorsement by the Chief of Engineers, United States Army, on the said report, and an inclosure thereto.

Extract from Report.

"The reservation, which includes the entire island, about 72 acres, is without caretaker, watchman or other representative of the United States, State of Massachusetts, or City of Boston. The latter has a right to the land as soon as it complies with the Fortification Act of June 5, 1902, but, it is stated that, so far, no action has been taken by the city with a view to compliance with that act."

Extract from Indorsement.

"2. By joint resolution approved June 5, 1902 (32 Stats., 743), copy herewith, the Secretary of War was authorized to permit the City of Boston to make certain improvements on Governor's Island, the site of Fort Winthrop, upon plans, however, to be previously approved by the Secretary of War. No such plans have ever been submitted by the City of Boston, although, under the act, the city retains the right to the use of the reservation upon the submission and approval by the War Department of plans for its improvement. The conditions described within have existed for some years. The island lies in the upper part of Boston Harbor and within easy access by water of East Boston. It is frequented, particularly in pleasant weather and on holidays, by people in such numbers that they can be controlled only by a police or military guard sufficient primarily to prevent landing on the island, and, secondarily, to eject those who do land, and who belong largely to the class that becomes disorderly in every sense unless restrained by the presence of sufficient force." . . .

"In March, 1905, the ordnance sergeant, who had found it almost impossible to maintain order and decency on the island by himself, was relieved and since that date the reservation has had to take care of itself." . . .

"It does not appear that any improvement in present conditions can be effected, unless the guarding and policing of the reservation be assumed by the City of Boston under the provisions of the joint resolution above referred to."

Inclosure.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that the Secretary of War is hereby authorized to permit the city of Boston, in the State of Massachusetts, to improve and beautify Governor's Island, or a portion thereof, situated in said city and belonging to the United States, in connection with mooring berths to be built adjoining said island, and to make such excavations and fillings and erect and maintain such structures as may be considered proper for the purpose; all upon plans to be previously approved by the Secretary of War: Provided, that the permission given pursuant to this resolution shall not pass any right or title in said island, but shall be revocable at will by the Secretary of War, and the ownership of said island shall remain entirely in the United States, and it shall be subject to such uses for military or other purposes as the Secretary of War may at any time direct. Approved, June 5, 1902."

In view of the prevailing condition, information is requested as to whether or not the City of Boston intends to take advantage of the permission given in the joint resolution above quoted, to improve and beautify Governor's Island, Boston Harbor, in connection with other works therein authorized.

Very respectfully,
F. D. GRANT,
Major-General Commanding.

Referred to the Executive Committee.

APPROPRIATION BILL.

City of Boston,
Office of the Mayor, February 17, 1911.

To the City Council:

In accordance with section 3 of chapter 486 of the Acts of 1909, I transmit herewith the estimates of the several departments for the financial year 1911–1912, together with a list of the appropriations which I recommend. I also transmit for your information the basis of estimate prepared by the City Auditor, which includes the amount which can be raised within the tax limit for the current expenditures of the city and an estimate of the income for the present year.

The sum total of all the estimates submitted by the heads of city departments, with an allowance of $250,000 for the Reserve Fund, is $13,277,805.48. The total of the estimates submitted by heads of county departments is $1,407,839.21. The city and county debt requirements, embracing interest, sinking funds and installments upon serial bonds, total $5,412,040.29. The sum of these various items, $20,097,684.98, is $1,390,609.78 less than the amount available under the law for current expenditures.

I recommend a reduction of $849,311.53 in the city and county estimates, making a total appropriation of $19,248,373.45. This includes an increase of $184,456.45 in the debt requirements, over which the Mayor and the City Council have no control, and an increase of $306,551 over the original appropriations of the city and county departments for the fiscal year 1910–1911. The amount available but not appropriated is $2,239,921.31—a figure wholly unprecedented in the financial history of the city. Should the $800,000 recommended by me for the erection of an annex to City Hall be appropriated by your honorable body, this margin would, of course, be reduced by a corresponding sum.

The increase in the amounts recommended is due almost wholly to increased demands upon the various city departments.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Appropriation and Tax Orders for the Financial Year 1911–1912.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of February, 1911, of performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year, upon the City of Boston, or the County of Suffolk, or the departments or officers thereof, and to meet their respective obligations for interest on debt, sinking fund requirements and maturing debt not provided for by sinking fund, the respective sums of money hereinafter specified be, and the same are, hereby appropriated for the several departments, and for the objects and purposes hereinafter stated.

Ordered, That the appropriations for Water Department, current expenses, and the payments to the state under the provisions of chapter 488 of the Acts of 1895 and acts in addition or amendment thereto, and for the interest requirement for loans issued for water purposes, be met by the income from said works and any excess over income from taxes; that the other appropriations hereinafter specified be met out of the money remaining in the treasury at the close of business on January 31, 1911, exclusive of the money raised by loan or needed to carry out the requirements of any statute, gift, trust, or special appropriation, and by the income of the financial year, beginning February 1, 1911, and by taxes to the amount of $14,515,467.62, and that said amount be raised by taxation on the polls and estates taxable in the City of Boston.

Ordered, That all sums of money which form no part of the income of the city, but shall be paid for services rendered or work done by any department or division for any other department or divi-

sion, or for any person or corporation other than the City of Boston, be paid into the general treasury and then credited to the appropriation of the department or division rendering such service or doing such work, and that all contributions made to any appropriation be expended for the objects and purposes directed by the several contributors thereof.

Ordered, That to provide temporarily money to meet the appropriations aforesaid, the City Treasurer issue and sell, at such times and in such amounts as he may deem best, notes or certificates of indebtedness of the City of Boston, not exceeding nine million dollars in the total, in anticipation of the taxes of the current municipal year; that all such notes or certificates of indebtedness be dated the day the money for the same is received, be made payable with the interest thereon at the office of the City Treasurer within the current financial year, from the taxes of said year, and bear interest, from their date until the same are made payable at such rate as said treasurer shall deem proper.

Ordered, That all taxes raised to meet the appropriations of the City Council, and all taxes assessed for meeting the city's proportion of the state tax of the year 1911, or of any other taxes or assessments payable to the Commonwealth, be due and payable on the first day of October, 1911; that all such taxes paid after the first day of November, 1911, bear interest from and including said day until paid, at the rate of 6 per cent per annum, except the taxes assessed upon shares of stock of national banks shall bear interest at the rate of 12 per cent per annum from and including said first day of November until paid; and that all interest which shall have become due on taxes shall be added to and be a part of such taxes.

Art Department: Twenty-five hundred dollars		$2,500 00
Assessing Department: One hundred seventy-five thousand dollars		175,000 00
Auditing Department: Forty-six thousand three hundred dollars		46,300 00
Bath Department: One hundred eighty-six thousand dollars		186,000 00
Building Department: One hundred six thousand dollars—		
Building Department	$103,000 00	
Board of Appeal	3,000 00	
		106,000 00
Cemetery Department: Seventy-five thousand dollars		75,000 00
City Clerk Department: Forty-five thousand dollars		45,000 00
City Council: Forty-eight thousand five hundred dollars—		
Salaries	$13,500 00	
City Council proceedings	10,000 00	
Incidental expenses	25,000 00	
		48,500 00
City Documents: Thirty-seven thousand dollars		37,000 00
Collecting Department: One hundred thirty-six thousand dollars		136,000 00
Consumptives' Hospital Department: One hundred eighty-eight thousand dollars		188,000 00
Election Department: One hundred forty-one thousand dollars		141,000 00
Finance Commission: Thirty thousand dollars		30,000 00
Fire Department: One million six hundred thousand dollars—		
Current expenses	$1,492,000 00	
Pensions	108,000 00	
		1,600,000 00
Health Department: Two hundred seventy-seven thousand dollars		277,000 00
Hospital Department: Five hundred forty thousand dollars		540,000 00
Institutions:		
Boston Infirmary Department: One hundred eighty-four thousand five hundred dollars—		
Boston Almshouse and Hospital	$149,600 00	
Almshouse, Charlestown	16,400 00	
Pauper expenses	6,500 00	
Office expenses	4,700 00	
Steamer "George A. Hibbard"	7,300 00	
		184,500 00
Children's Institutions Department: Two hundred three thousand five hundred dollars—		
Plaeing Out and Office Division	$103,000 00	
Parental School	55,500 00	
Suffolk School for Boys	45,000 00	
		203,500 00
Institutions Registration Department: Twenty-one thousand two hundred dollars		21,200 00
Steamer "Monitor": Twenty-seven thousand dollars		27,000 00
Law Department: Fifty-one thousand dollars		51,000 00
Library Department: Three hundred fifty-five thousand two hundred dollars		355,200 00
Licensing Board: Forty thousand dollars		40,000 00
Market Department: Eleven thousand five hundred dollars		11,500 00
Mayor: Ninety-seven thousand dollars —		
Office expenses, etc	$50,000 00	
Bureau of Information	7,000 00	
Public celebrations	40,000 00	
		97,000 00
Music Department: Seventeen thousand six hundred dollars		17,600 00
Overseeing of the Poor Department: One hundred forty-two thousand five hundred dollars,		142,500 00
Park Department: Three hundred eighty-five thousand dollars		385,000 00
Police Department: Two million one hundred eighty-five thousand dollars —		
Current expenses	$2,053,201 00	
Pensions	131,799 00	
		2,185,000 00
Printing Department: Salary of Superintendent and operating expenses to be met by revenue.		
Public Buildings Department: Two hundred thousand dollars		200,000 00
Public Grounds Department: One hundred forty-three thousand dollars		143,000 00
Public Works Department: Four million one hundred ninety-one thousand two hundred dollars —		
Central office	$80,000 00	
Bridge and Ferry Division	553,000 00	
Highway Division	3,257,000 00	
Sewer and Water Division, Sewer Service	301,200 00	
		4,191,200 00
Registry Department: Forty thousand dollars		40,000 00
Reserve Fund (for the payment of claims, exeeutions of court, court fees, expert witnesses and other legal expenses, and for transfers): Two hundred thousand dollars		200,000 00
Sinking Funds Department: Two thousand four hundred dollars		2,400 00
Soldiers' Relief Department: Two hundred twenty thousand dollars		220,000 00

Statistics Department: Thirteen thousand dollars —			
Statistics Department	$12,000 00		
City Record, publication of	1,000 00		
		$13,000 00	
Street Laying-Out Department: One hundred twenty-four thousand dollars		124,000 00	
Supply Department: Fourteen thousand dollars		14,000 00	
Treasury Department: Forty-eight thousand six hundred dollars		48,600 00	
Weights and Measures Department: Twenty-four thousand two hundred twenty-six dollars,		24,226 00	
Wire Department: Sixty thousand dollars		60,000 00	
City Debt Requirements:			
Sinking funds	$1,462,998 00		
Serial loans	223,750 00		
Interest	3,378,000 00		
		5,064,748 00	
		$17,699,474 00	

County of Suffolk: One million five hundred forty-eight thousand eight hundred ninety-nine dollars forty-five cents —			
County Buildings	$94,200 00		
Jail	66,875 00		
Supreme Judicial Court	41,000 00		
Superior Court, Civil Session	319,679 00		
Superior Court, Criminal Session	162,000 00		
Probate Court	31,590 00		
Municipal Court Justices	40,100 00		
Municipal Court, Civil Session	29,900 00		
Municipal Court, Criminal Session	83,900 00		
Municipal Court, Charlestown District	12,000 00		
East Boston District Court	10,320 00		
Municipal Court, South Boston District	12,700 00		
Municipal Court, Dorchester District	8,870 00		
Municipal Court, Roxbury District	23,000 00		
Municipal Court, West Roxbury District	9,382 00		
Municipal Court, Brighton District	6,000 00		
Boston Juvenile Court	11,300 00		
Police Court, Chelsea	13,300 00		
Registry of Deeds	56,000 00		
Index Commissioners	15,000 00		
Insanity cases	22,500 00		
Land Court	2,500 00		
Medical examinations	22,000 00		
Miscellaneous expenses	11,595 00		
		$1,105,711 00	
Penal Institutions Department:			
House of Correction	$205,000 00		
Office expenses	21,000 00		
		226,000 00	
County Debt Requirements:			
Sinking fund and principal	$76,875 67		
Interest	140,312 78		
		217,188 45	
			1,548,899 45
			$19,248,373 45

(Annexed were the estimates referred to.)
Referred to the Committee on Appropriations, when appointed.

FINANCE COMMISSION REPORT ON CONSUMPTIVES' HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1911.

To the City Council:

I beg to transmit a communication from the Boston Finance Commission, under date of February 16, concerning the Consumptives' Hospital Department.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Boston, February 16, 1911.

Hon. John F. Fitzgerald, Mayor:

Sir,—On September 17, 1910, your Honor requested the Finance Commission to investigate and report upon the economic and social problems referred to in a letter from the chairman of the Consumptives' Hospital Trustees, which had been sent to your Honor on September 15, 1910, and a copy of which was sent to the commission.

The problems thus referred to the Finance Commission for investigation are as follows:

1. Whether the financial relations of the Commonwealth and the City of Boston, arising out of their efforts to prevent the spread of tuberculosis, should be readjusted.
2. Whether the officials of the City of Boston have neglected to employ existing means of preventing the spread of tuberculosis.
3. Whether the Boston Consumptives' Hospital should be under the control of the Boston Board of Health.
4. Whether a means can be provided for preventing the abuse of medical charity in Boston.
5. Whether the existing laws relating to the preservation of the public from the dangers of tuberculosis should be amended and new means of preventing the spread of the disease be provided.

Most of the questions involved in the last of these problems have been referred to the state commission appointed under chapter 76 of the Resolves of 1910, as appears from the following extract from the resolve:

"Resolved: That a commission, consisting of the chairman of the state board of health and six others to be appointed by the governor, two each from the state board of health, the state board of charity, and the state commissioner on consumptive hospitals, is hereby instructed to investigate the means and methods employed by the state and by local communities in caring for tubercular patients in hospitals, sanatoriums and dispensaries and, if it be found advisable, to report a plan which, by correlating the said means and methods, will prevent duplication and waste of effort. Said commission shall investigate and report particularly as to the relationship between this state and its municipalities in the care for tubercular patients, both in respect to the classes of cases cared for and to the apportionment of the financial burden caused thereby;

"As to the proper use, so far as the care of tuberculosis is concerned, of the state institutions at Rutland, North Reading, Lakeville, Westfield and Tewksbury;

"As to the relation which such state institutions should bear to hospitals for tubercular patients maintained by cities and towns;

"As to the power of the state board of health to require cities and towns to establish such hospitals;

"As to the advisability of modifying or repealing the settlement laws so far as the same apply to diseases dangerous to the public health;

"As to the advisability of supplying tubercular patients with food at their homes, and the best means of doing so, if to do so he deemed advisable;

"As to the advisability of establishing dispensaries for the discovery, supervision and treatment of cases of tuberculosis by the agency of local boards of health."

The state commission has made the investigation, and under date of November 1, 1910, submitted an elaborate report to the Governor of the Commonwealth, copies of which have been furnished to the members of the present Legislature.

The Finance Commission was established for the purpose of investigating and publishing the financial and departmental methods of the City of Boston and the county of Suffolk; and while all the problems referred to the commission have some relation to the city's finances the character of some of them is chiefly medical and only incidentally financial, and they are, therefore, more appropriate subjects for investigation by medical experts than by a nonmedical board like the Finance Commission. The Finance Commission concluded that it need not attempt an investigation of the prohlems involved in the last question referred and consequently has confined its inquiry to the other four questions.

I. The Readjustment of the Financial Relations of the Commonwealth and the City of Boston.

1. Boston's Excessive Burden.—This question has been referred to the Finance Commission hy your Honor as a result of the claim made hy the chairman of the Boston Consumptives' Hospital Trustees that the city is bearing more than its share of the general burden of providing care and treatment of persons afflicted with pulmonary tuberculosis, or consumption, and of checking the spread of this disease.

This claim is founded upon the fact that Boston has maintained its own consumptives' hospital at great expense while paying, through the state tax, ahout one-third of the cost of similar hospitals maintained by the state, whereas few of the other municipalities in the state maintain consumptives' hospitals, preferring, for reasons of economy, to send their patients to the state institutions. Boston, Brookline, Cambridge, Fall River, Lawrence, New Bedford and Salem have established local hospitals for consumptives. But other municipalities, including such large cities as Worcester, Lowell, Lynn, Springfield, Somerville, Holyoke and Brockton, have failed to establish consumptives' hospitals.

During the time that the state institutions at Rutland, North Reading, Lakeville and Westfield have heen in existence Boston has furnished on an average much less than one-third of the patients therein treated, hut it has paid more than one-third of the state tax for the support of such institutions. This, in itself, would probably not be considered a just cause for complaint. But having estahlished its own local hospital Boston may justly demand either that the cost of the state institutions he diminished hereafter through a reduction in the number of patients sent from other cities and towns, such reduction to he effected by the estahlishment of local hospitals in such cities and towns, or that the state make special provision for compensating Boston for the extraordinary expenses it has already incurred in the establishment and maintenance of its consumptives' hospital, and the expense it will be obliged to incur in the future.

The expense incurred for Boston's Consumptives' Hospital Department, up to Fehruary 1, 1911, as shown by the City Auditor's reports, is $823,668.32, of which $361,924.84 was expended from borrowed money. The total amount borrowed was $457,000 and of this only $95,075.16 is left. The chairman of the Consumptives' Hospital Trustees estimates that $365,000 will be needed to furnish additional accommodations, as follows:

For Construction.

One more concrete huilding for dying cases, which when completed will give a total minimum bed capacity for cases of this type, of 200 cases	$90,000
For completion of accommodations for 150 more patients in the cottage ward type of hospital	75,000
To construct wards for care of 50 children,	$50,000
Additions to domestic, administration and admission huildings and nurses' quarters	100,000
For repairs on grounds, machinery, etc., and incidentals	50,000
	$365,000

If this plan is carried out the city will probably be obliged to spend the $95,000 of unexpended loan money and to borrow $270,000 more, thus making the total loans for its Consumptives' Hospital Department $727,000. He also estimates that the annual maintenance appropriation required will be $225,000. In addition it should be noted that the city's Health Department also makes large expenditures for the hoard of consumptives at the state institutions. Excluding payments through the state tax, Boston, with ahout one-third of the population of the cities of the state, has contrihuted at least five times as much as all other cities in the state comhined towards the antituberculosis campaign. This shows clearly that Boston's share of the general burden has heen far greater than it should have heen upon the basis of either population or valuation, and that it is justified in asking for a readjustment of the existing financial arrangements hetween the state and the cities and towns therein.

2. Suggestions for Removing this Inequality.—Various plans have been suggested for relieving Boston of similar burdens in the future. The Mayor of the City of Boston has introduced a bill (Senate No. 82) which provides for the transfer to the Commonwealth after the first day of January, 1912, of "the care and control and treatment of all persons afflicted with tuherculosis or consumption who are now cared for hy the City of Boston or hy any board or officers thereof." It is further provided that the City of Boston shall not hereafter establish any hospital, sanatorium or other institution for the care of said patients, or after said date maintain any such institution or he liahle for the board, care or treatment of any such person. It is further provided that the Boston Consumptives' Hospital shall, after said date, be governed hy a Board of Trustees appointed hy the Governor with the advice and consent of the Council; and that the state shall take the lands and buildings of the Boston Consumptives' Hospital and pay the city for the same.

The purchase by the state of the Boston Consumptives' Hospital, thus recommended hy the Mayor, is urged on the ground that it is in line with the precedent estahlished hy the state's purchase of the Boston Insane Hospital, as recommended by the former Finance Commission. The two cases are not alike, however. The City of Boston, unlike all other municipalities in the state, maintained at its own expense an insane hospital, the state also maintaining hospitals for insane patients. When the state took over the Boston Insane Hospital it was not asked to establish local hospitals in other municipalities for the care of the insane in such municipalities. But the purchase by the state of the local consumptives' hospital already established hy Boston and of similar hospitals estahlished in other cities, would inevitably lead to demands from all other municipalities that the state erect and maintain local hospitals for them. These demands would he strongly urged on the ground that consumptives in the advanced stages of the disease can he induced to enter a local hospital where their friends may visit them, but cannot he persuaded to go far away from home, and consequently would remain in their homes, thus endangering all about them, unless a local hospital were availahle.

It should also he noted that the action of the City of Boston in estahlishing and maintaining its consumptives' hospital was entirely voluntary. While the law requiring the establishment hy cities of isolation hospitals for dangerous diseases was passed in 1901 (Acts of 1901, chapter 171), tuherculosis was not included in the list of diseases dangerous to the puhlic health until August 1, 1907. There was not, prior to the latter date, any requirement of law for the estahlishment hy a city of a hospital for pulmonary tuherculosis or tuherculosis in any form. The idea of estahlishing a consumptives' hospital in Boston was conceived six years before the State Board of Health declared tuherculosis to be a disease dangerous to the public health. On July 3, 1901, the Mayor and City Council authorized a loan of $150,000 to pro-

vide land and buildings for a consumptives' hospital. The loan was not issued, however, until 1906. In that year, one year prior to the action of the State Board of Health, the land was acquired for a site and $66,896.18 was expended on the project. Boston, therefore, incurred this expense by its voluntary action and not because of any mandate of the state.

Before Boston incurred this expense it had as now equal rights with all other cities and towns in the Commonwealth to send its consumptives to the State Sanatorium at Rutland, which was established in 1898, rights of which it availed itself both before and after the establishment of its own hospital. It also has had and still has equal rights with all other cities and towns in the hospitals later established by the state at North Reading, Lakeville, Westfield and Tewksbury. It does not seem to the Finance Commission that Boston's demand that the state shall reimburse it for the cost of its hospital at Mattapan will receive favorable consideration from the Legislature, as it would logically lead to the purchase of the local hospitals established by Brookline, Cambridge, Fall River, Lawrence, New Bedford and Salem. The cost of the purchase and maintenance of these hospitals, added to the cost of erecting and maintaining local hospitals in other communities, would be tremendous.

3. The State Commission's Plan.—The state commission suggests a means of relieving Boston and other cities which have established their own consumptives' hospitals of a portion of the expense. It urges the need of local consumptives' hospitals for the treatment of advanced cases, meanwhile recommending the encouragement of private enterprise and philanthropy in the same field. On page 15 of its report it says: "It is the general belief that the tuberculosis problem in its entirety is too great for private enterprise. The time is come for the community and the boards of health to shoulder the responsibility that rightfully belongs to them. The community should enter this field because in the long run its work is more uniform, more lasting and more thorough. In the problem of tuberculosis the municipal authority has legal power to remedy many of the attendant and contributing evils of tuberculosis." The Finance Commission believes that this policy should be definitely established and maintained. The state may well be asked to compel all cities and the more populous towns to provide such hospitals at their own expense. Until they are so provided the municipalities which have already established such hospitals at their own expense should be given adequate compensation in some form for the extraordinary burdens which they have assumed. As already stated, however, the Finance Commission believes that this compensation should not include the purchase by the state of such local hospitals, but that it should be confined to relieving such municipalities of a share of the cost of maintenance.

The state commission also suggests that all cities and towns which maintain their local hospitals be paid by the state $5 a week, or approximately one-half the expense of maintenance of all nonpaying patients in the local hospitals; and it is also suggested that all cities and towns in the Commonwealth pay to the state $5 a week, or approximately one-half the cost of maintenance of all nonpaying patients in the state hospitals who have a legal settlement in such cities and towns. This plan would be an improvement upon the existing arrangement, for while it would increase the payments by municipalities from $4 to $5 a week for patients at Rutland, North Reading, Lakeville and Westfield, it would give to the cities and towns which maintain their local hospitals $5 a week for nonpaying patients, whereas they receive nothing from the state now. In the opinion of the Finance Commission the proposed remedy, however, is not adequate, as it still discriminates against the cities and towns which maintain their local hospitals and in favor of the municipalities which neglect to perform that duty, inasmuch as it does not take into account the capital investment of cities and towns in their local hospitals. The Finance Commission believes that it is equitable to require all cities and towns which send patients to the state hospitals to pay one-half the cost of their care; but it also believes that the cities and towns which maintain their local hospitals should receive some payment in addition to the $5 per week for each patient therein treated.

II. Alleged Neglect of the City Authorities.

The letter of the chairman of the Boston Consumptives' Hospital Trustees states: "While the city permits the sanitary and educational effort, which is essentially the duty of the Health Board, to remain unattended to or inefficiently performed, the money spent on tuberculosis is only an attempt to patch up a decrepit population upon whom disease and deterioration have already done their worst. As the situation stands to-day, the city is spending money lavishly on one hand caring for consumptives, while it is creating on the other hand, through neglect and incompetency, more than it is curing."

The particulars of the alleged neglect are as follows:

1. The alleged failure to enforce the law against expectoration in public places.
2. The alleged failure to improve tenement house conditions so as to prevent the rise and spread of consumption.
3. The alleged failure to provide proper ventilation in the public schools and to provide a sufficient number of "open-air" rooms in the schools.
4. The alleged failure to make the physical examination of school children required by chapter 502 of the Acts of 1906, to determine whether they are suffering from any disability or defect tending to prevent them from receiving the full benefit of the school work.

1. Expectoration in Public Places.—It is said that many consumptives expectorate in public places and thus violate the law (1906, chapter 165; 1907, chapter 410; 1908, chapter 150), but that comparatively few offenders are prosecuted. The Finance Commission recognizes the danger of transmission of germs from the sputum of consumptives, but it has no means of enforcing the law against expectoration in public places. If the Consumptives' Hospital Trustees deem strict enforcement possible, or that stricter enforcement than is now given is necessary, it can request the co-operation of police officials with more assurance of success than a nonmedical body like the Finance Commission. If more stringent laws are needed the Mayor might be asked by the Consumptives' Hospital Trustees to file the necessary petition with the Legislature.

2. Tenement House Conditions.—The commission believes that there has been a failure to improve tenement house conditions to the extent required in the interests of public health. The obvious remedies are better tenement house laws and strict enforcement of them. The former is a proper subject of study by a special commission; the latter is the immediate concern of the Board of Health. No evidence of neglect to enforce existing tenement house laws has been presented to the Finance Commission. If the Consumptives' Hospital Trustees have such evidence, it should be presented to the Mayor, who should demand strict enforcement in the interests of the entire community.

3. Ventilation of School Buildings; Open-Air Classes.—The Finance Commission, as a result of its own observation and the statements of others, believes that there is improper ventilation in some of the schools. In some cases it is due to inadequate facilities, in others to the fear of fresh air. The commission also believes that the "open-air" schoolroom has been a successful experiment, and that more of such rooms should continue to be provided by the School Committee.

4. Physical Examination of School Children.—No complaint is made as to the manner in which tests of the sight and hearing of school children have been made, under section 5, chapter 502, of the Acts of 1906; but it is contended that a physical examination sufficiently thorough to determine whether children are tuberculous has not been made. The commission believes the statute in question is broad enough to require such an examination. The Board of Health admits, however, that such examinations have not been made up to last month. Various reasons were given by the Board of Health for the four years' delay to comply with the statute, but in the opinion of the commission none of the reasons are adequate. It is probable, however, that the necessity of such an examination as a means of preserving the public health has been exaggerated. The chairman of the Consumptives' Hospital Trustees estimates that 5,000, or approximately 5 per cent, of the public school children of Boston are "definitely tuberculous," and that 50,000, or about one-half of all the school children, have ailments "that will probably

finally make for tuberculosis." But a recent examination of 2,602 of Boston's public school children, between the ages of fourteen and sixteen, has been made under another statute (1910, chapter 257), and it showed only fifteen cases, or slightly above one-half of one per cent of the whole number, in which "suspicious symptoms of present or impending tuberculosis were found." The examination was made in each of the last six months and the results are stated in a letter of the chairman of the Board of Health, a copy of which is hereto annexed. The physical examination of school children required by the law of 1906 will soon be made by the Board of Health, according to the statement of its members. When the number of children who are tuberculous is thus ascertained the means of providing for the care and education of such children should be carefully studied by the city's health authorities and the School Committee.

III. The Transfer of the Care of Boston's Consumptives' Hospital from the Board of Consumptives' Hospital Trustees.

Various suggestions have been made for transferring the jurisdiction over the city's consumptives' hospital from the present board to the state or city Board of Health or to the City Hospital Trustees. The Finance Commission believes that the city should retain jurisdiction of its consumptives' hospital, but that it should be under the supervision of the State Board of Health. It also believes that nothing would be gained by transferring the control of the hospital from the present Board to the City Hospital Trustees; nor is it prepared to recommend a transfer to the city Board of Health. It may be urged that the city Board of Health, which is the local central health authority, should have the management of all hospitals within the city. The Finance Commission believes, however, that the time for considering this transfer has not arrived. The subject may well be considered at a later period, when it is hoped the city Board of Health will be strengthened. The Finance Commission has frequently urged the appointment, as a third member of the Board, of a person qualified by education, training and experience for the performance of his duties, but so far without success.

IV. The Abuse of Public Charity.

The Consumptives' Hospital Trustees represented to the Finance Commission that many persons are admitted free to the various hospitals maintained by the city who are able to pay for treatment, and suggested that the Finance Commission investigate this question. The Finance Commission believes that it would be a profitable subject of investigation, but suggests that it would be made better by the trustees of the various hospitals themselves, as they have far more intimate knowledge of the facts than the Finance Commission could possibly acquire even after a long investigation.

The commission believes that chapter 4 of the City Ordinances of 1909 should be repealed, so that only inhabitants of Boston for at least two years be given admission to the Consumptives' Hospital, instead of leaving it open, as now, to any person from other parts of New England, or even from Canada, who may wish to take a residence in Boston for a period long enough to obtain free treatment, and perhaps for that purpose only.

The commission recommends:

1. That the Mayor urge the Legislature to adopt a plan for relieving Boston that is more equitable than the subsidy plan proposed by the state commission.

2. That the examination of school children for the purpose of ascertaining the existence of tuberculosis be made by the city Board of Health as speedily as possible.

3. That the School Committee take further steps to provide better ventilation in the public schools; and that the policy of establishing open-air rooms for sickly children be continued and extended.

4. That the city retain its consumptives' hospital at Mattapan, under the control of the Consumptives' Hospital Trustees, subject to the supervision of the State Board of Health.

5. That the Mayor request the trustees of the various city hospitals to make a thorough investigstion of the extent to which the city's hospitals are used by people who can afford to but do not pay for treatment.

6. That chapter 4 of the Ordinances of 1909 be repealed.

Respectfully submitted,
THE FINANCE COMMISSION,
by JOHN A. SULLIVAN,
Chairman.

—

Health Department, Old Court House,
Boston, February 7, 1911.

Hon. John A. Sullivan,
Chairman Finance Commission,
Boston, Mass.:

Dear Sir,—In compliance with your request I beg leave to make the following statement:

Under chapter 502, Acts of 1906, as amended by chapter 257, Acts of 1910, a physician appointed by the Board of Health is required to examine such children between the ages of fourteen and sixteen years as have secured from the School Committee an employment ticket. This requirement of the Legislature went into effect August 1, 1910. The examinations for the first six months ending January 31, 1911, were as follows:

August	391	November	327
September	768	December	351
October	411	January	354
			2,602

These have been general physical examinations, and as to the finding of evidences of tuberculosis it may be said that there were found in

August	1	November	3
September	3	December	1
October	3	January	4

cases in which suspicious symptoms of present or impending tuberculosis were found, and although insufficient to warrant a positive diagnosis, were cases calling for further examinations and proper surveillance.

Yours very truly,
S. H. DURGIN, Chairman.

Referred to the Committee on Ordinances.

FINANCE COMMISSION REPORT—CITY DEBT.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1911.

To the City Council:

I beg to transmit a communication from the Boston Finance Commission, under date of February 18, addressed to the honorable the Senate and House of Representatives in General Court assembled, relating to the city debt, with particular reference to pending legislation.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Boston Finance Commission,
410–413 Tremont Building,
February 18, 1911.

To the Honorable the Senate and House of Representatives in General Court assembled:

In the annual report to the Legislature made by the Finance Commission under date of January 20, 1911, the commission stated that the subject of the city's debt would be treated in a later communication after the close of the city's financial year when the complete figures had become available; and the commission herewith submits a report upon the same.

The net debt of the city up to the close of its financial year, January 31, 1911, has been ascertained; but the city's share of the state and metropolitan district debts has not been ascertained beyond November 30, 1910, the close of the state's financial year, as the figures for the period beyond the latter date are not yet available. The city's debt, including its share of the state and metropolitan district debts, has, therefore, been computed as of November 30, 1910.

1. Increase in the Total Net Indebtedness of the City.

The city's share of the net state and metropolitan district debts on November 30, 1910, was $6,936,130.48 and $36,125,161.49 respectively, a total of $43,061,291.97. Between January 31, 1910, and

November 30, 1910, the city's share of the metropolitan district debt has been reduced from $36,427,575.11 to $36,125,161.49, a reduction of $302,413.62; in the same period the city's share of the state debt has increased from $6,721,727.10 to $6,936,130.48, an increase of $214,403.38. The city's share of both classes of debts has, therefore, been reduced in this period $88,010.24.

The net city and county debt increased in the same period from $71,345,972.58 to $73,198,701.40, an increase of $1,852,728.82.

The total net indebtedness of the city, including its share of the state and metropolitan district debts, was $116,259,993.37 on November 30, 1910, as compared with $114,495,274.79 on January 31, 1910, an increase of $1,764,718.58. A table showing the debt at the two periods in question divided into the various classes is hereto annexed and marked "Appendix A."*

* These figures do not include the city's share of the debt incurred for the Charles River Basin improvements, as the expense has not yet been apportioned.

2. Increase in Net City and County Debt.

The increase in the net indebtedness of the city and county for the entire fiscal year 1910–11 was $1,582,677.93, it having risen from $71,345,972.58 on January 31, 1910, to $72,928,650.51 on January 31, 1911. Exclusive of the net debt incurred for rapid transit purposes the net city debt at the beginning of the year was $56,777,630.06, and at its close $57,668,427.93, an increase of $890,797.87. This increase has not been due to lack of care on the part of the city government in the authorization of loans during the last year. On the contrary, as the commission has already stated in its annual report to the Legislature, the loan bills of this year have been given most careful consideration, and no general loan bill has been passed. The refusal of the City Council to pass a general loan bill is regarded by the Finance Commission as the most important reform of the past year. Such loan bills have been passed in former years by logrolling practices and by promises of patronage, practices which resulted in largely and unnecessarily increasing the city's debt. Each loan passed in the last year, however, has been separately considered on its merits, and many loan items which were either unnecessary or, though possessing some merit, could not be justified in the existing state of the city's finances, were rejected. The result of these improved methods respecting loans is that on December 31, 1910, there was left within the borrowing capacity $1,036,545.71, most of which would have been borrowed if the former careless methods which characterized the authorization of loans had prevailed.

A comparison of the amounts left unborrowed on December 31 of each of the last ten years shows that in only five of these years an amount was left unborrowed equal to the amount which the City Auditor and the Finance Commission believe should be retained as a reserve to meet emergencies, viz., $500,000. In 1901, 1903, 1904, 1906 and 1910 the amounts left unborrowed were as follows:

December 31.	
1901	$1,490,346 01
1903	1,100,640 33
1904	682,400 00
1906	915,019 60
1910	1,036,545 71

In other years the amounts left unborrowed were as follows:

December 31.	
1902	$367,167 74
1905	37,518 74
1907	52,657 17
1908	372,438 17
1909	301,146 53

In making this comparison December 31 has been chosen, as prior to the adoption of the charter amendments of 1909 the terms of the Mayor and members of the City Council ended on the first Monday in January.

The total amount of loans authorized by the Mayor and City Council in the past year is $2,767,500, as shown in a table hereto annexed and marked "Appendix B."

As the total amount of loans issued in the year 1910–11 was $4,615,500, and the loans authorized during the year amounted to only $2,767,500, it is apparent that the increase in the net city debt was not due to the loans authorized in the past year, but was rather due to loans issued last year which had been authorized in preceding years. Of the $4,615,500 borrowed last year, $1,000,000 was for rapid transit purposes, $1,000,000 for land and buildings for schools, $300,000 for sewerage works, $674,000 for separate systems of drainage and $1,641,500 for various municipal improvements, all as shown in Appendix C hereto annexed. For the rapid transit, school and separate systems of drainage loans the City Council is not responsible, as these loans are required by statute. An analysis showing the loans to which the last year's increase in debt is due would be long and not proportionately valuable. In general terms it may be stated that the increase was inevitable, due chiefly to a combination of several items, inherited from past years, which were actually issued this year; and that it is not an indication of a return to the alarming condition of growing debt which formerly prevailed.

3. Legislative Authority for Additional Loans.

The foregoing review shows that despite the care exercised by the present city government there has been an actual increase of nearly $900,000 in the net debt of the city, exclusive of the state, metropolitan district and rapid transit debts. This fact indicates that even greater care must be taken hereafter in order that the present heavy indebtedness of the city may be reduced. The Legislature should co-operate with the city to this end.

It has been charged frequently that the Legislature has forced the city to borrow money and that a large part of the heavy indebtedness of the city is due to such action. The commission believes that comparatively few of the loans authorized by the Legislature in the past have been forced upon the city, but that the greater part of them have been authorized as a result of petitions filed either by the Mayor of the city for the time being, or by its representatives in the Legislature. Notwithstanding the fact that most of the Legislative acts affecting the city's debt have been permissive rather than mandatory, the fact that they were permissive has often been forgotten at a later period, and officials of the city have taken advantage of this situation by stating that the city's heavy debt is due largely to loan acts thrust upon the city by the state.

The commission believes that the Legislature should, as far as possible, avoid even the appearance of compelling the city to increase its indebtedness, and suggests, as a means of accomplishing this purpose, that all future bills in the Legislature providing for the issuing of loans by the City of Boston be passed subject to acceptance by the Mayor and City Council. The question whether the city's financial condition warrants any particular loan can better be decided by the Mayor and City Council than by a committee of the Legislature, or by the Legislature itself. The commission believes that if future bills are passed subject to acceptance by the Mayor and City Council the responsibility will be more definitely fixed, fewer loans will be issued and the city's financial interests will be better protected.

In this connection the commission respectfully calls the attention of the Legislature to the fact that there are several bills now pending which, if passed, would operate to increase the city's debt and thereby add to the burdens of its tax payers. The list on page 28 shows the numbers of these various bills, the amounts which they authorize, the purposes for which the loans are sought, and whether they are inside or outside the statutory limit of indebtedness.

The amounts stated in these various bills aggregate $3,560,000, a sum which would be substantially increased if House Bills 811 and 812, in which the amount is not stated, should pass. The seven bills which name amounts provide for the borrowing of $1,100,000 inside and $2,460,000 outside the debt limit.

Loans Outside the Debt Limit.

Both the former and the present Finance Commissions have repeatedly urged that the policy of borrowing money outside the debt limit be discontinued, and the Legislature itself, by chapter 313 of the Acts of 1909, revoke all authority previously given under any special statute to borrow outside the debt limit, except so far as the issuance of such loans might be necessary to pay amounts due on contracts made prior to June 1, 1909, or to

Number.	Amount.	Purpose.	Debt Limit.	
			Inside.	Outside.
House 1003	$60,000 00	Playground at Governor's Island		Outside.
House 576	300,000 00	Addition to City Hospital		Outside.
House 446	1,100,000 00	City Hall Annex		Outside.
Senate 295	1,000,000 00	High pressure water service	Inside.	
House 400	Amount not stated.	Widening Pleasant street to Tremont street.	Inside.	
House 720	900,000 00	Widening Pleasant street to Park square.		Outside.
House 811	Amount not stated.	Street connecting Huntington avenue with Audubon road.	Inside.	
House 812	Amount not stated.	Extension of Boylston street across Back Bay Fens.	Inside.	
House 1207	100,000 00	Playground, Ward 5		Outside.
Senate 196	100,000 00	Bath house and gymnasium at Tenean brook.	Inside.	

pay executions of court on suits brought under the acts authorizing said loans prior to said date; and also except for rapid transit purposes. As a result of this act the former practice of borrowing outside the debt limit has been discontinued, greatly to the advantage of the city. To authorize loans outside the debt limit now would be to reverse the policy established by the Legislature of 1909 and to impose additional burdens upon the taxpayers of the city. It may be necessary for the Legislature, in exceptional cases, to authorize loans outside the debt limit, but in such cases the legislative acts should be subject to the acceptance of the Mayor and City Council, whom the people of the city hold responsible for its financial condition.

The commission believes, therefore, that House Bills 1003, 576, 720 and 1207 should be rejected by the Legislature. House Bill 446 might well be rejected on the same ground, but the commission believes that it provides for an object which fairly constitutes an exception to the rule that the city should not be authorized to borrow outside the debt limit. This bill provides for an addition to City Hall and calls for an expenditure of $1,100,000. It is probable that the money could not be provided inside the debt limit without making it difficult to provide other necessary municipal improvements. It may be that the erection of an addition to the City Hall will save the city money, as large amounts are now spent for the rental of quarters outside City Hall. The commission does not pass upon the necessity for the addition to City Hall. The commission believes, however, that the question whether an addition to the City Hall should be provided at all, as well as the question whether if provided it should be by loans inside or outside the debt limit, should be determined finally by the Mayor and City Council. The commission, therefore, respectfully suggests that this bill, if passed, be made to take effect only upon acceptance by the Mayor and City Council.

Loans Inside the Debt Limit.

The commission also calls attention to the fact that the city has the right, under existing statutes, to borrow within the debt limit for such objects as are provided for by Senate Bill 196 and House Bills 400, 811 and 812, viz., for street widenings, street construction and bath houses and gymnasiums. Therefore, as no further legislative authority is needed, these bills should be rejected.

On the same ground Senate Bill 295, providing $1,000,000 for a high pressure water service, could be rejected, but as the bill seeks to establish definitely the policy of the city by providing that loans shall be passed in each year until the total amount authorized has been issued, thus insuring the completion of the work, an exception may well be made in this case. Moreover, this bill, unlike the others under consideration, provides that the act shall not take effect until it has been accepted by the Mayor and City Council.

There may be other bills now pending in the Legislature, besides those already enumerated, which are obnoxious to the principles herein defined, and the commission respectfully requests that such bills be considered in the light of the recommendations herein made.

The commission recommends:

1. That all bills now pending providing for loans for bath house, playgrounds, hospital, street construction and street widening be rejected, viz., Senate 196, House 1003, 1207, 576, 811, 812, 400, 720.
2. That House Bill 446, providing for an addition to the City Hall, be amended so that the act shall take effect only upon its acceptance by the Mayor and City Council.

Respectfully submitted,

The Finance Commission,
by John A. Sullivan,
Chairman.

APPENDIX A.

The city's net indebtedness, including its share of the state and the metropolitan district debts.

January 31, 1910.

City's share of Massachusetts direct debt	$6,721,727 10
City's share of Metropolitan district debt	36,427,575 11
Net city and county debt	71,345,972 58
Total	$114,495,274 79

November 30, 1910.

City's share of Massachusetts direct debt	$6,936,130 48
City's share of metropolitan district debt	36,125,161 49
Net city and county debt	73,198,701 40
Total	$116,259,993 37

Total November 30, 1910	$116,259,993 37
Total January 31, 1910	114,495,274 79
Increase	$1,764,718 58

APPENDIX B.

Loans Authorized by the City Council in the Financial Year 1910–11.

1910.				
March	15.	Park Department, locker building, Franklin Field		$4,500
"	22.	Fire Department, new fireboat, additional		5,000
"	29.	Land and buildings for schools		500,000
"	30.	Sewerage works		300,000
April	12.	Park Department:		
		Playgrounds, improvements	$27,500	
		Savin Hill Park	2,500	
				30,000
"	12.	Separate systems of drainage		674,000
May	17.	Bowdoin street grade damages		49,000
"	17.	Highways, making of		300,000
"	24.	Neponset Playground, filling and grading		10,000
June	6.	High School of Commerce and School Administration Building		300,000
July	19.	Old Colony avenue, construction of		28,000
"	28.	Chelsea Bridge South	$80,000	
		Meridian Street Bridge	125,000	
		Broadway Bridge, rebuilding draw	115,000	
				320,000
Aug.	24.	Curtis Hall, reconstruction of		60,000
Oct.	11.	Land, Massachusetts avenue and Northampton street, City Hospital		67,000
Nov.	16.	Fire Department, repair shop		90,000
1911.				
Jan.	3.	Fire Department, repair shop, additional		20,000
"	3.	Chelsea Bridge North, preliminary work		10,000
				$2,767,500

APPENDIX C.

Loans issued in 1910–11, Covering those Authorized in 1910–11 and in Preceding Years

Object.	Loans
Bath Department:	
Bath House, Charlestown	$30,000 00
Bath House, Orient Heights	5,000 00
Bathing Establishment, Ward 15	50,000 00
Consumptives' Hospital Department:	
Completion of second ward	10,000 00
Cottage ward for women	15,000 00
Domestic building	100,000 00
Fire Department:	
Fire Department, repair shop	90,000 00
Fire station, Lauriat avenue district	15,000 00
Fire station, Oak square and Faneuil section	15,000 00
New fireboat	5,000 00
New quarters for fireboat crew, Boston side	15,000 00
Highways, making of	600,000 00
Hospital Department:	
Estate, Massachusetts avenue and Northampton street	67,000 00
Park Department:	
Franklin Field, locker building, completion of	4,500 00
Neponset Playground, filling and grading	10,000 00
Playgrounds, improvements	27,500 00
Playground, Parker Hill	60,000 00
Playground, Ward 7	25,000 00
Playground, Ward 16	25,000 00
Savin Hill Park	2,500 00
Public Buildings Department:	
East Boston courthouse and police station	80,000 00
New library building, Ward 22	10,000 00

Loans issued in 1910–11, Covering those Authorized in 1910–11 and in Preceding Years.

Object.	Loans.
Rapid Transit:	
Cambridge connection	$500,000 00
Riverbank Subway	500,000 00
School Committee:	
Land and buildings for schools	1,000,000 00
Streets:	
Broadway Bridge, rebuilding	37,000 00
Chelsea Bridge South	80,000 00
Meridian Street Bridge	125,000 00
Old Colony avenue, construction of	28,000 00
Separate systems of drainage	674,000 00
Sewerage Works	300,000 00
Street Laying-Out Department:	
Bowdoin street grade damages	49,000 00
Geneva avenue, from Bowdoin street to Columbia road	50,000 00
Washington street, West Roxbury (Chap. 574, Acts of 1907)	11,000 00
Total	$4,615,500 00

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, when appointed, viz.:

Claims.

Monahan & Lark, for a hearing on their claim under an assignment of wages.

W. D. Dillon, to be paid for injuries to horse by an alleged defective manhole maintained by the Sewer Department.

Murphy Brothers Company, to be paid for damage to team by a street cleaning cart.

Mrs. Nora Coyne, for compensation for illness and death of her husband caused by injuries received while in employ of city.

CLERK HIRE.

W. T. A. Fitzgerald, Registrar of Deeds, submitted a statement in accordance with the provisions of section 33, chapter 22, of the Revised Laws, certifying that certain persons had been employed in his office from January 23 to February 20, and that work had been performed to the amount of $3,528.70.

Referred to the Executive Committee.

KEEPING OF GASOLENE, ETC.

Notices were received that certain buildings have been used for the storage of gasolene, etc., and of intention to use same for one year, viz.:

H. Staples Potter, 82 Commonwealth avenue.

Jenney Manufacturing Company, First street, between D and E streets.

The same company, 8 India street and 146 Milk street.

Adams & Swett Cleansing Company, 124 Kemble street, Ward 17.

Placed on file.

POLE LOCATION.

A copy of order was received from the Street Commission granting permission to the Fire Commissioner to place five poles on Colberg avenue, Ward 25.

Placed on file.

ATTACHING WIRES TO POLES.

Notice of orders of Street Commissioners were received granting permission to attach wires to poles, viz.:

Edison Electric Illuminating Company, Elmira and Murdock streets, Ward 25.

New England Telephone and Telegraph Company, Corey street, Charlestown.

The same company, Parsons street, Ward 25.

Placed on file.

ALTERATION OF LOCATIONS.

Copies of orders were received from the Street Commissioners granting permission to West End Street Railway Company for alteration of location on Bunker Hill street, 342d location, and alteration of location on Boylston street, 343d location.

Placed on file.

APPROVAL OF GATES.

Notice was received from the Railroad Commissioners of approval of protected gates at drawbridge over the Chelsea ereek, in Chelsea and Boston, on petition of Boston and Albany Railroad.

Placed on file.

NOTICE OF APPOINTMENT.

Notice was received of the appointment of M. W. Burlen as Election Commissioner of the City of Boston, certifying that a copy of same was delivered to the Civil Service Commission February 18, 1911.

Placed on file.

MINORS' LICENSES.

Chairman BALLANTYNE submitted reports on petitions recommending that minors' licenses be granted to fifty newsboys, one bootblack and four vendors.

The licenses were granted on the usual conditions.

ROPING, ETC., OF STREETS MARCH 17.

Coun. KENNY offered an order—That the City Messenger rope off such streets as the Police Commissioner may require on Friday, March 17, 1911, in connection with the parade and celebration of Evacuation Day, the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

Coun. KENNY offered an order—That the Police Commissioner be authorized to close to travel by vehicles, except fire, police, hospital and mail wagons, such streets as may be required on Friday, March 17, 1911, in connection with the parade and celebration of Evacuation Day.

Passed.

CONFIRMATION OF APPOINTMENTS.

Coun. BUCKLEY called up unfinished business, No. 1, viz.:

1. Action on appointments submitted by the Mayor February 6, 1911, of James F. English to be a constable (connected with an official position) and Thomas H. Staples to be a constable—severally for the term ending April 30, 1911.

The question came on confirmation. Committee—Coun. Buckley and Smith. Whole number of ballots cast 8, yeas 8, and the appointments were confirmed.

Chairman BALLANTYNE called up unfinished business, No. 2, viz.:

2. Action on appointments submitted by the Mayor February 13, 1911, of William J. Doyle, Everett S. Hamlin, Daniel F. Hurley and George A. Whitten to be Weighers of Coal for the term ending April 30, 1911.

The question came on confirmation. Committee—Coun. Attridge and Kenny. Whole number of ballots cast 8, yeas 8, and the appointments were confirmed.

MONEY FOR LICENSING BOARD.

Chairman BALLANTYNE offered an order—That there be allowed and paid to the Secretary of the Licensing Board the sum of one hundred dollars ($100), the same being to enable him to make payments for witness fees and small items, these payments to be accounted for by vouchers filed with the City Auditor and to be charged to the appropriation for Licensing Board.

Passed.

IMPROVEMENT OF DEWEY BEACH.

Coun. McDONALD offered an order—That there be appropriated the sum of $15,000 to be expended by the Bath Department for general alterations, improvements and enlargement of Dewey Beach, Charlestown, so as to accommodate 800 men and boys and 500 women and girls, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds of the City of Boston to said amount.

Referred to the Committee on Finance, when appointed.

TUNNEL TO EAST BOSTON.

Coun. McDONALD submitted a petition signed by the Atlantic Works and very, very many others asking that early action be taken favorable to the construction of a tunnel between East Boston and the city proper.

In connection with the petition Coun. McDONALD offered the following:

Resolved, That it is the opinion of the City Council of Boston that the interests of East Boston require that a tunnel for teaming and foot passengers should be constructed between that section and the city proper.

Ordered, That the City Clerk send a copy of this resolve to the Committee on Metropolitan Affairs.

Referred to the Executive Committee.

PROJECTIONS OVER BURIAL GROUNDS.

Coun. BUCKLEY offered an order—That the Acting Mayor be requested to inform this Council what action has been taken, if any, by the Corporation Counsel or Cemetery Trustees concerning the removal of private projections over the Granary Burial Grounds, and if no action has been taken to instruct the proper authority to attend to the matter without delay.

Passed.

UNFINISHED BUSINESS OF LAST YEAR.

Coun. BUCKLEY—Mr. Chairman, I would rise to a question of information. I should like to know if the orders introduced last year which were referred to the Committee on Finance and which have not been acted upon hold over until this year, or if we are supposed to present new orders covering the same matters.

Chairman BALLANTYNE—All matters in the hands of committees last year, unacted upon, were transferred to this year's government.

Coun. BUCKLEY—So the playground in Ward 5 is taken care of.

RECESS.

The Council voted, on motion of Coun. KENNY, at 3.47 p. m., to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by Chairman BALLANTYNE at 4.56 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. HALE, for the Executive Committee, submitted the following:

(1) Report on resolution (referred February 13) relative to protection of milk supply and in favor of passage of House Bill No. 1332—that the resolve be adopted.

Report accepted; resolve adopted.

(2) Report on pay roll of Registry of Deeds (referred to-day) that the City Council approve payment of same to amount of $3,528.70—that the same be approved.

Report accepted; pay roll approved and ordered paid.

(3) Reports on communication from Forest Hills Citizens Improvement Association (referred February 13) inviting City Council to attend meeting of March 7—that the same be placed on file.

Accepted.

(4) Report on communication from Men's Club of the First Universalist Church of Somerville (referred January 30) inviting City Council to attend a meeting on February 16, 1911—that the same be placed on file.

Accepted.

GENERAL RECONSIDERATION.

On motion of Coun. COLLINS general reconsideration of all action taken to-day was refused.

Adjourned, on motion of Coun. KENNY, at 4.58 p. m., to meet on Monday, February 27, at 3 p. m., unless sooner called together by the chairman.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 27, 1911.

Regular meeting of the City Council, held in the Council Chamher, City Hall, at three o'clock p. m., Coun. BALLANTYNE, senior memher, in the chair. Absent—Coun. Curley.

The Council voted, on motion of Coun. ATTRIDGE, to dispense with the reading of the records of the last meeting.

TRANSPORTATION FACILITIES, NORTH AND WEST ENDS.

The following was received:

City of Boston,
Office of the Mayor, February 25, 1911.

To the City Counicl:

I heg to transmit a copy of resolutions passed at a mass meeting held in Faneuil Hall, on Sunday, Fehruary 19, 1911, relating to the need of improved transportation facilities for the West End and the North End and East Boston, together with an abstract of the plans of the West End, North End and East Boston Development Committee.

Respectfully,
WALTER BALLANTYNE, Acting Mayor.

—

Copy of Resolutions Passed at Mass Meeting in Faneuil Hall, Sunday, Fehruary 19, 1911.

Whereas, the people at this meeting, representing the West End, North End and East Boston, feel that those districts have not received proper transportation facilities; and, whereas, this fact has injured property, husiness and social conditions in the districts named and has affected the lives and homes of the residents thereof; now, therefore, be it

Resolved, That the street car connections between East Boston and Boston proper should be improved, and the Legislature of 1911 should pass a hill providing that the people of East Boston should be given hetter, quicker and more adequate service; and he it further

Resolved, That it is the sense of this meeting that the Legislature of 1911 should pass a hill providing for a suhway in the West End of Boston connecting with the subway system at Scollay square and having a station at Bowdoin square, and that Adams square be given better service; and be it further

Resolved, That the Legislature of 1911 should pass a bill providing for the appointment of a commission of three expert paid men to investigate, in the interests of the Commonwealth of Massachusetts, the City of Boston and the surrounding towns, the street railway transportation systems in and around Boston and the affairs of the companies operating such system; and be it further

Resolved, That a committee of nine be appointed by the chair to represent the people at this meeting in asking for and ohtaining the legislation specified and in otherwise improving conditions in the West End, North End and East Boston; and he it further

Resolved, That a copy of this resolution be sent to the Governor of the Commonwealth, the president of the Senate and the speaker of the House of Representatives of Massachusetts, the Mayor of the City of Boston, the City Council and the Chamber of Commerce.

—

Abstract of Immediate Plans of the West End, North End and East Boston Development Committee, February 21, 1911.

Whereas, The committee wishes to permanently improve and properly develop the West and North Ends of Boston and East Boston; and,

Whereas, It is desirahle to take advantage of the present session of the Legislature to make a start towards such improvement and development;

Now, thcrefore, the committee recommends the passage of the following hills:

(1) A hill providing for a tunnel for teams and pedestrians bctween East Boston and Boston.

(2) A bill providing for a continuation of the East Boston Tunnel from Scollay square by a subway under Court street to Bowdoin square, with a station there; thence under Camhridge street to Lynde street, there emerging from the ground and the cars being continued as surface cars, some over the Cambridge Bridge to Harvard square and some through Charles street to Boylston street, Park square and beyond.

In case the Legislature provides for a direct connection hetween the Boston, Revere Beach & Lynn Railroad and the East Boston Tunnel, the committee recommends that the trains, instead of looping at Scollay square, should be continued through a subway as proposed to Lynde street, or to North Russell street, and from there, hy an elevated structure, connecting with the Cambridge street end of the Camhridge Tunnel; trains thence running to Harvard square.

(3) A hill providing for the widening of Tremont row, Court street and Cambridge street to a uniform width of not less than 96 feet, so as to make a hroad boulevard from Scollay square to the Camhridge Bridge.

(4) A bill providing for better subway service at Adams square.

(5) A bill providing for the appointment of a commission of expert paid men to study and investigate the street railway transportation system in and around Boston, and the affairs of the Boston Elevated Railway.

SIMON VORENBERG, Chairman,
S. F. HUBBARD,
JAMES E. MAGUIRE,
CON KEEFE,
WILLIAM H. O'BRIEN,
FERDINAND STRAUSS,
NORMAN C. MCNAUGHTON,
WILLIAM J. ROUNDS,
MAX MITCHELL,
Committee.

ALEXANDER WHITESIDE, Secretary,
60 State Street, Boston.

Placed on file.

CITY BURYING GROUNDS.

The following was received:

City of Boston,
Office of the Mayor, Fehruary 27, 1911.

To the City Council:

I return herewith three orders passed by your honorable hody at its meetings of January 16, 1911, and Fehruary 20, 1911, reading as follows:

January 16, 1911.

Ordered, That his Honor the Mayor he requested to direct the proper authorities to make a careful investigation into the matter of the present houndary lines of the South Burying Ground, on Washington street and of the Granary Burying Ground on Tremont street, with a view to determining by accurate and official surveys whether any part of those hurying grounds have heen taken and are heing used for private purposes.

January 16, 1911.

Ordered, That if it shall be disclosed hy examination and survey that any parts of the South and Granary Burial Grounds have heen taken for private purposes, the Mayor he requested to take such steps as may he necessary to restore every foot of ground helonging to the city to the use and custody of the city and that the Board of Trustees of the Cemetery Department be requested, through his Honor the Mayor, to explain why any part of the ancient cemeteries in their charge have heen desecrated and sequestrated for private use and profit.

February 20, 1911.

Ordered, That the Acting Mayor be requested to inform this Council what action has heen taken, if any, hy the Corporation Counsel or Cemetery Trustees concerning the removal of private projections over the Granary Burying Ground and if no action has been taken to instruct the proper authority to attend to the matter without delay.

Immediately upon the receipt of the first two orders an investigation was begun hy the Mayor, who communicated with the Cemetery Trustees, the Board of Street Commissioners and the Corporation Counsel. The resulting correspondence, together with copies of earlier communications on the suhject, is transmitted herewith for your information. As the correspondence itself is perfectly clear, and if any action should he taken upon the facts as disclosed, the Mayor should he

the one to institute proceedings. I lay the matter before you without personal comment, believing that no expression of opinion on my part is called for at this time.

The correspondence consists of the following letters, and copies of letters, arranged in chronological order:

From the secretary of the Cemetery Department to the Corporation Counsel, dated January 2, 1909.

From the Corporation Counsel to the Board of Trustees of the Cemetery Department, dated March 5, 1909.

From the chairman of the Board of Trustees of the Cemetery Department to the Corporation Counsel, dated May 7, 1909.

From the secretary of the Cemetery Department to the Corporation Counsel, dated June 9, 1909.

From the Corporation Counsel to the Board of Cemetery Trustees, dated June 11, 1909.

From the chairman of the Board of Trustees of the Cemetery Department to the Mayor, dated January 6, 1911.

From the Mayor's Secretary to the Corporation Counsel, dated January 27, 1911.

From the Corporation Counsel to the Mayor's Secretary, dated January 28, 1911.

From the secretary of the Street Laying-Out Department to the Mayor, dated February 27, 1911.

Respectfully,
WALTER BALLANTYNE, Acting Mayor.

—

City of Boston,
Cemetery Department, January 2, 1909.

Thomas M. Babson, Esq.,
Corporation Counsel:

Dear Sir,—The Wigglesworth house on Park street is being torn down. The rear wall of ell of this house is on the Granary Burying Ground. At direction of Chairman Mr. Phipps of this department, I requested the Engineering Department to take the matter of lines up before any work of rebuilding is commenced. They advise that it would be more advisable to have your department called into the case at once, as there are some complications, and it may be all a question of law. Will you please give this your attention.

Yours truly,
JOHN FRANK KEATING, Secretary.

—

City of Boston,
Law Department, March 5, 1909.

Board of Trustees, Cemetery Department,
City Hall, Boston:

Gentlemen,—My engagements before the Legislature is my excuse for not answering the letter sent me by your secretary before this time. Replying to your inquiries, I would say first, in regard to the Wigglesworth estate, this lot bounds at the rear on the cemetery, the line therefore is an uncertain one. As far as I can ascertain there has been a brick wall marking the division line between this estate and the cemetery for a great many years, and the Wigglesworth estate undoubtedly owns to the line of that wall.

(Remainder of letter refers to other matters.)

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

—

City of Boston,
Cemetery Department, May 7, 1909.

Thomas M. Babson, Esq.,
Corporation Counsel:

Dear Sir,—Referring to your favor of March 5 in *re* Wigglesworth estate encroachment on Granary Burying Ground. Chairman Mr. Phipps and Mr. Grew, representing this estate, viewed the premises on the 6th inst., and it was concluded that the matter should go to you on question of the estate holding the cemetery land on account of occupancy. The measurements and photos of the Engineering Department seem to show that this estate built on the rear walls of the tombs adjacent. They recently tore down their ell which rested on this wall to the ground, and without permission of this department and against our remonstrance, placed a concrete base on the wall. They claim the land covered by this concrete base.

Similar occupancy of the rear wall of the tombs has been taken by the abutters to the corner of Park and Beacon streets. The house at the corner of Park and Beacon streets and the house adjoining on Beacon street have gone even at greater length, without permission of this department, by placing fire escapes at the rear of the buildings, which run close to the burying ground level and extend out several feet even beyond the rear tomb walls. This is not old construction. Whether they will eventually endeavor to make claim to the land we do not know, but you can undoubtedly determine what rights, if any, the fire escapes may give to the land beneath in course of time.

The record of the selectmen of Boston, April 13, 1721, bears upon this matter particularly, as it gives the origin of the brick wall which extended above ground and rested on the tomb walls from the corner of Park and Beacon streets to Tremont street.

The Engineering Department has made actual measurements and taken photos during and before the work at the Wigglesworth estate, and this department is ready to determine, if necessary, the actual location of the rear wall of the tombs. In nearly every case the abutters tore the wall down which extended above ground when they constructed the additions. If the city can claim that the abutters own to the wall of the tombs, or to the cemetery line, as their deeds read (and these lines seem to be identical), the trustees beg to be advised what action can be taken. Does the tearing down of the ell at the Wigglesworth estate make void any claim which they might have held on account of occupancy.

Yours truly,
CHARLES E. PHIPPS,
Chairman of the Board of Trustees
of the Cemetery Department.

—

City of Boston,
Cemetery Department, June 9, 1909.

Thomas M. Babson, Esq.,
Corporation Counsel:

Dear Sir,—The Trustees of this department expect to meet on Monday next, and ask if you can reply by that time to their letter of May 7 respecting encroachments on Granary Burying Ground on Park street side.

Based upon careful estimates, the value of the land encroached upon is about $8,000, and members of the Board have been informed, unofficially, by legal opinion that the courts will not sanction such encroachments.

Yours truly,
JOHN FRANK KEATING, Secretary.

—

City of Boston,
Law Department, June 11, 1909.

To the Cemetery Trustees,
Room 76, City Hall, Boston, Mass.:

Dear Sirs,—The letter of your secretary of the 9th inst. was received. In reply I would say that not understanding your letter of May 7, I referred it to the Conveyancing Department of my office, and not having heard from them I have not replied.

As far as the inquiry is made concerning certain fire escapes I would say that if the Cemetery Trustees object to these fire escapes I am of the opinion that if a bill in equity were brought against the owners of these estates their removal could be compelled. As the fire escapes have been put up under direction of and with the approval of the Building Department I do not think that the owners of the real estate can acquire any rights by maintaining their fire escapes over a portion of the cemetery. As a measure of precaution your Board might get from the owners of these buildings an acknowledgment that these fire escapes are maintained with the permission of the Cemetery Trustees, or if requested by your Board I will have a bill in equity brought to compel their removal.

Now as to the alleged encroachment. As I wrote in my letter of March 5, there are no boundaries fixed for either the cemetery or for this Wigglesworth estate by deed or record. I am informed that the Wigglesworth estate has maintained a wall on the present line of their fence for more than fifty years. If that is true, then they have a right to maintain their present fence on the line of the old one. If your Board has any evidence that the line of the present fence is beyond the line of the old fence and will communicate that evidence to me with directions to bring suit, I will bring one. I do not think it makes any difference as to whether there was or was not a piece of a tomb projecting under that fence line. Instead of assuming as you do in your letter that there is an encroachment I think it would be better to give me the facts on which you base that claim.

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

P. S. As the City of Boston in 1721 owned the land between the cemetery and what is now Park street, which was occupied hy the almshouse and other town buildings, I cannot see what the records of the selectmen of 1721 have to do with this matter, but you might forward me a copy.

—

City of Boston,
Cemetery Department, January 26, 1911.
Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—Herewith is returned City Council order of January 16, 1911:

Ordered, That his Honor the Mayor be requested to direct the proper authorities to make a careful investigation into the matter of the present boundary lines of the South Burial Ground on Washington street and of the Granary Burial Ground on Tremont street, with a view to determining hy accurate and official surveys whether any part of those burial grounds have heen taken and are used for private purposes.

Respecting Granary Burying Ground.

The Selectmen's Records of April 13, 1721, show that this ground was enlarged on the south side and a line of tomhs was authorized to he huilt on this south linc "on condition they (the tomh owners) would carry up and maintain a brick wall on said line at the end of their tomhs." These are the tombs which now exist and are in the rear of estates on Park street from Tremont to Beacon street. There is also evidence to-day that said wall or a portion of it still remains. While it has been stated that the city prohihited any building erected on Park street to extend to a point less than fifteen feet from the hurying ground wall, we have thus far heen unable to find any record of such prohihition. But it is a fact that for many years there was a space hetween the rear of buildings fronting on Park street and the hurying ground wall, and a view of the premises will show that some of these extensions towards the cemetery are of fairly recent construction, but before this department was organized in 1897, with exception given below. When these extensions were made the wall of the cemetery was used as the lower rear wall of the extension or the cemetery wall was demolished and a new wall built for the extension on the site of the old wall.

On Decemher 31, 1908, and a few days later the Engineering and Law Departments were asked to determine the boundary line hetween the cemetery and the estate No. 1 Park street, as the building at that place was heing demolished. Notwithstanding the protest of this department the new huilding was constructed and the rear line extends even a little beyond the boundary of the old line. On June 11, 1909, the Law Department made a reply as per copy attached. Since that time this Board has not taken action. The facts are that these estates have utilized the rear wall of the tomhs or the site of said wall for their purposes, and this Board has presented all the facts in their possession to the Law Department.

Respecting South End South Burying Ground.

On November 15, 1910, this Board appointed a committee to investigate the houndaries of the South End South Ground upon its own initiative, as a matter of department information. This investigation is now proceeding, and it can hc said that we are not as yet aware of any encroachment since the organization of the department in 1897. Subject to any further findings, it can he said now that this hurying ground remained intact from its estahlishment in 1810 until 1865, when the city permitted George H. Davis to purchase a portion of the ground on the northerly side,—said portion being twenty-six feet wide and extending the entire depth of the ground from Washington to James street,—a space ten feet wide heing reserved for a passageway out of the twenty-six feet. Later the city sold more of the ground on the northerly side, and a reference to city documents of 1883 and 1884 will give very complete accounts of the sales and attempted sales. Until our investigation is completed we will not he in a position to give a detailed story of the numerous transactions.

While we are anxious to obtain for our own information all the facts ohtainable concerning transactions in and adjoining thc cemeteries under our control, it is only fair to state that we are not in a position to determine the legality of the transactions or even to say that our researches are absolutely complete. But such information as we can gather from various sources may he referred to and aid the departments who may he in a position to pass upon any questions involved.

Yours respectfully,
CHARLES E. PHIPPS,
Chairman of the Board of Trustees
of the Cemetery Department.

—

City of Boston,
Office of the Mayor, January 27, 1911.
Thomas M. Babson, Esq.,
Corporation Counsel,
Tremont Building, Boston:

Dear Sir,—His Honor Mayor Fitzgerald has directed me to refer to you a communication from the chairman of the Trustees of the Cemetery Department, relating to an order of the City Council which requests an investigation into the boundary lines of the South and Granary Burial Grounds. Mr. Phipps refers in his statement to an opinion of the Law Department which seems to imply that the facts as presented to the Corporation Counsel did not, in his judgment, warrant any legal challenge of the position of the owners of adjoining estates. His Honor would he pleased to receive any information that you can give him that would tend to throw light upon a situation which is now somewhat ohscure.

Yours very truly,
WILLIAM A. LEAHY, Secretary.

(Inclosure.)

—

City of Boston,
Law Department, January 28, 1911.
William A. Leahy, Esq., Secretary,
Mayor's Office, City Hall, Boston:

Dear Sir,—I can see nothing in my letter to the Cemetery Trustees of June 11, 1909, which seems to imply that the facts as presented to me would not in my judgment warrant any legal challenge of the position of the owners of the adjoining estates.

In my letter I say that if they object to these fire escapes I will if requested by the Cemetery Trustees hring a hill in equity to compel their removal.

In reference to the alleged encroachment I say that there was no boundary fixed by deed or record for either the cemetery or for the Wigglesworth estate: that I am informed that the Wigglesworth estate has maintained a wall on the present line of their fence for more than fifty years. I then go on to say: "If your Board has any evidence that the line of the present fence is heyond the line of the old fence and will communicate that evidence to me with directions to hring suit, I will hring one."

I never received a request from the Cemetery Trustees to bring a suit and have never heen informed by them of their having any evidence in their possession that the present fence or wall is beyond the line of the old fence or wall. If the Cemetery Trustees have any person or persons who will testify as to any encroachment I will bring proceedings.

From the fact that the trustees never replied to my letter I supposed they had no such evidence.

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

P. S. Mr. Owen of the conveyancer's department has the abstract of these titles. The town of Boston once owned these Park street lots. It sold them along in 1801 and the deeds give the rear line as the cemetery. As there are no depths given, the question is, where was the cemetery line in 1801,—where was it when this Wigglesworth estate built out the new wall?

—

City of Boston,
Street Laying-Out Department,
City Hall, February 27, 1911.
Hon. John F. Fitzgerald,
Mayor:

Dear Sir,—In accordance with your suggestion the Board of Street Commissioners has had a careful examination made of the boundary lines of the South Burial Ground on Washington street and the Granary Burial Ground on Tremont street, with a view of determining whether or not any part of these hurial grounds have heen taken and are being used for private purposes. The examination was made under the direction of Mr. F. O. Whitney, chief engineer of the department, who reports as follows:

"In regard to the South Burial Ground on Washington street, I find that no part of the same is being used for private purposes. I do find, how-

ever, that the hodies have not all been removed from the portion transferred to the New England Conservatory of Music.

"In regard to the Granary Burial Ground on Tremont street, I find that in the rear of No. 1 Park street, the Wigglesworth Real Estate Trust has erected a fence on top of the old burial ground wall, which encroaches about four inches at the easterly end heyond the main wall of a huilding recently removed from the Wigglesworth estate.

"A fire escape has been placed upon the Park Street Churcb by agreement with the City of Boston.

"The following projections bave been constructed and maintained above ground, overhanging the burial ground, and, as far as I have been ahle to ascertain, without authority from tbe City of Boston, except as far as the Building Commissioner may bave ordered fire escapes or approved the plans and construction of such projections as are for safety or architectural effect:

"On the rear of No. 6 Park street, on the building owned by Alfred Bowditch *et al.*, trustees, a fire escape attached to the main building.

"On the property owned by the Union Club a halcony projects, overhanging the burial ground about fiye feet ahove the surface.

"On the estate of the heirs of Susan W. Farwell a halcony projects from the second floor.

"From the building owned hy the American Congregational Society, balconies overhang from the second and fourth floors. The coping of the building also projects over the burial ground.

"On the Tremont Building the copings overhang.

"I have not made definite plans of these details, hut will hold myself in readiness to do so should the occasion warrant."

Very truly yours,
J. J. O'Callaghan, Secretary.

Placed on file.

RESIGNATION OF CONSTABLE.

The following was received:

City of Boston,
Office of the Mayor, February 25, 1911.

To the City Council:

You are herehy notified that I have this day accepted the resignation of Nathan E. Bates from the office of Constahle of the City of Boston.

Respectfully,
Walter Ballantyne, Acting Mayor.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, when appointed.

Claims.

James Doherty, for compensation for injury received while in the employ of the street cleaning division.

Spurgeon Bell, for compensation for injuries caused hy his heing knocked down hy a wagon of the city.

Dennis A. O'Neil, for compensation for injuries to a horse.

James Milligan, for compensation for damage to horse by its falling into a cesspool at Centre street and Chestnut avenue.

Excutive.

Harriet Brackett, for permit for children under fifteen years of age to appear at Seaman's Friend Hall, on March 28.

APPROVAL OF APPOINTMENT.

Notice was received from the Civil Service Commission of approval of appointment of Jobn E. Potts to be Consumptives' Hospital Trustee.

Placed on file.

KEEPING OF GASOLENE.

Notices were received from the bereinafter named persons of the keeping of gasolene at premises specified, and of intention to use same premises for the ensuing year, viz.:

Boston Protective Department, 159–161 Roxbury street.

Boston Protective Department, No. 4 Appleton street.

Placed on file.

NOTICE OF HEARINGS.

Notices were received from the Railroad Commissioners of hearings on February 27, on petitions of Boston Elevated Railway Company for approval of plans 26,890–26,895, inclusive, and 25,225, showing elevated structure from Causeway street to Lechmere square, Cambridge, and for approval of plan 35,400 of elevated structure from near Grove street to Cambridge Bridge; also bearing on March 3 on petition of same company for approval of plan 35,400 showing elevated structure from near Grove street to Cambridge Bridge.

Placed on file.

WIRE ATTACHMENTS, ETC.

Copies of orders were received from the Street Commissioners as follows:

Order allowing Edison Electric Illuminating Company of Boston to attach wires to two poles on Chelsea street, Ward 1.

Orders allowing the New England Telephone and Telegraph Company of Massachusetts to attach wires to five poles on Addison street, Ward 1; same company to attach wires on eight poles on Canterbury street, Ward 23; same company to attach wires to one pole on Border street, Ward 1; same company to erect one pole on Fenwood road, Ward 19.

Placed on file.

RESTRICTIONS ON LAND.

The following was received:

To the City Council:

Gentlemen,—I return herewitb the copies of papers sent to Mr. Day in matter of amendment of restrictions on land of the heirs of Albert W. Nickerson adjoining that portion of tbe Fens known as Auduhon road and heg leave to report that the proposed order is in proper form.

Yours truly,
Roscoe P. Owen,
City Conveyancer.

The message of the Mayor and the several communications and order were referred to the Committee on Public Lands.

CONFIRMATION OF APPOINTMENT.

Chairman BALLANTYNE called up No. 1, unfinished husiness, viz.:

1. Charles S. Mansfield, 6 Pinckney place, Somerville, to he a Weigher of Coal for the term ending April 30, 1911.

The question came on confirmation. Committee—Coun. McDonald and Attridge. Whole number of ballots cast 7, yeas 7, and the appointment was confirmed.

MINORS' LICENSES.

Chairman BALLANTYNE submitted minors' licenses for thirty-one newsboys, three boothlacks and four vendors and asked the approval of the Council on the same.

Approved, and licenses granted on usual conditions.

LAYING OUT OF DRAYTON AVENUE.

Chairman BALLANTYNE offered an order—That the Board of Street Commissioners he requested, through his Honor the Mayor, to lay out as a public way Drayton avenue from Quincy street to Bodwell street.

Passed.

PRECINCT REDIVISION, WARD 20.

Coun. COLLINS, for the Special Committee on Redivision of Precincts, Ward 20, submitted a report recommending the passage of the following:

Ordered, That a new division be made of that portion of Ward 20 heretofore included in Precincts 4, 6, 14 of said ward into four precincts, to be known as precincts 4, 6, 14, 16, and said precincts are constituted as follows:

Ward 20. Precinct 4.

All that part of said ward lying within the following described line: Beginning at the intersection of tbe centre lines of Stoughton street and Columbia road; tbence through tbe centre lines of Stoughton and Salcombe streets, Cushing and Sawyer avenues, Pleasant, Hancock, Higb and Church streets, the portion of Bowdoin street south of Eaton square, Bowdoin, Quincy, Bellevue, Trull and Hancock streets and Columbia road to the point of beginning. 681 voters.

Ward 20. Precinct 6.

All tbat part of said ward lying within tbe following described line: Beginning at the intersection of tbe centre lines of Adams street and Dorcbester avenue; thence through the centre lines of Dorchester avenue to the centre line of location of the Shawmut branch of tbe New York, New Haven & Hartford railroad; thence through the centre line of location of said railroad to the centre line of Geneva avenue; thence througb the centre lines of Geneva avenue and Homes avenue and Adams street to tbe point of beginning. 677 voters.

Ward 20. Precinct 14.

All that part of said ward lying witbin tbe following described line: Beginning at tbe intersection of the centre lines of Draper street and Homes avenue; tbence througb tbe centre lines of Homes and Geneva avenues to the centre line of location of the Midland Division of the New York, New Haven & Hartford railroad; tbence througb the centre line of location of said railroad to tbe centre line of Columbia road; thence through the centre lines of Columbia road, Ricbfield, Barry, Clarkson, Hamilton, Bowdoin and Draper streets to tbe point of beginning. 741 voters.

Ward 20. Precinct 16.

All tbat part of said ward lying within the following described line: Beginning at the intersection of tbe centre lines of Columbia road and Hancock street; thence througb tbe centre lines of Hancock, Trull, Bellevue, Quincy, Bowdoin, Hamilton, Clarkson, Barry and Richfield streets and Columbia road to the point of beginning. 733 voters.

The question came on accepting the report and passing the order.

Coun. COLLINS—Mr. Chairman, an order was presented by me two weeks ago asking that tbere be a redivision of the precincts of Ward 20. It seems tbat there is one precinct, Precinct 6, whicb has a number of voters exceeding one thousand, and under the statute it is mandatory for the city to change tbe precinct lines wben that takes place. Accordingly you appointed a committee of three, of which I am chairman. We waited on the Election Commissioners, and this is the report. As a matter of fairness to both parties in the district, I notified, through the Election Commissioners, tbe chairmen of the Democratic and Republican ward committees. They both came, I understand, to the Election Commissioners and signified tbeir approval of this proposition. Accordingly, since tbe police listing takes place witbin a few weeks, I now offer tbis order, trusting it will pass.

Report accepted; order passed.

HALF HOLIDAYS, CEMETERY EMPLOYEES.

Coun. McDONALD offered an order—That under the provisions of chapter 587 of tbe Acts of 1908 the Cemetery Trustees be hereby autborized to allow half holidays on Saturdays to all employees of the Cemetery Department, without loss of pay, during the present financial year.

Referred to tbe Executive Committee.

WIDENING OF NORFOLK STREET.

Coun. ATTRIDGE offered an order—That the Board of Street Commissioners be requested, through his Honor the Mayor, to submit to the City Council an estimate of the cost of widening Norfolk street, Dorchester, from Codman square to Blue Hill avenue, to a widtb of 60 feet.

Passed.

RECREATION DEPARTMENT DISCUSSION.

Coun. KENNY—Mr. Chairman, I desire to offer tbe following order whicb I will read:

Ordered, Tbat tbe Corporation Counsel be requested to confer with his Honor the Mayor with a view to framing a new draft of ordinance abolishing tbe Bath, Music and Public Grounds Departments and transferring their duties to the Park Department, so as to put into force a consolidation of tbe entire recreation service of the city, and thereafter to submit to the City Council sucb draft of ordinance.

And in this connection be it further ordered that tbe City Clerk send to tbe Corporation Counsel copies of the following papers: Communication of his Honor the Mayor to the City Council, dated October 17, 1910, printed on page 324 of 1910 proceedings of City Council relating to this subject; communication from the Finance Commission to the Mayor and City Council, dated December 5, 1910, and printed on page 362 of 1910 proceedings of City Council relating to tbis subject; ordinance passed by the City Council at its meeting February 4, 1911, abolisbing tbe Bath, Music and Public Grounds Departments and transferring their duties to the Park Department; communication from bis Honor the Mayor to tbe City Council, dated February 14, 1911, printed on page 19 of 1911 proceedings of City Council relating to this subject.

Mr. Chairman, in presenting this order I desire to say that this is not a new subject for the consideration of the Council. Last October his Honor the Mayor submitted a communication in whicb be recommended the carrying into effect of this proposition. From time to time things have appeared in the Press that have suggested that tbere may be some outside influence being brought to bear to carry this proposition through the Council. As one who has been more or less active in the prosecution or presentation of this subject I desire to say that, so far as I am personally concerned, I know of no outside influence which has interested itself in this matter. Certainly no sucb influence has presented itself before me. Indeed, last November, in the early part of the month, I had in mind myself the suggestion to the Council of such an ordinance, and I had gone so far as to draft an ordinance in which I had not only included these departments but two other departments, before I learned that the Mayor had already submitted this very proposition in October to tbe Council. I had overlooked that fact. I had been away the first of October and for tbe two or tbree meetings which followed this recommendation by tbe Mayor, which is dated October 17, and which came in, I believe, October 24; but in order to show that this is not a matter whicb has been brought about or urged by any outside influence I wisb to say to tbe Council that I bad it in mind myself, and that I now have in my desk two or tbree drafts of ordinances looking to tbis consolidation. Subsequent to tbe Mayor's recommendation the Finance Commission took the matter up at the suggestion, I believe, of the Mayor, or, if my recollection serves me, the Mayor sent to tbe Finance Commission a copy of the same communication wbich he had sent to this Board, and on December 5 the Finance Commission, in a communication addressed to tbe Mayor and City Council, recommended that we adopt tbe suggestion contained in the Mayor's communication. Some time in December, having in mind, subsequent to the filing of that report by both tbe Mayor and the Finance Commission, that this was a very important matter, and wisbing to proceed carefully, I took the precaution to present to the Council an order asking the Law Department to prepare an ordinance, in order tbat we might have before us something about the legality of which tbere could be no question. Tbat order passed tbe Council and tbe Law Department submitted to the City Council a draft of an ordinance. I fear that that has not been clearly understood. I fear that a great many people bave been proceeding on the theory, or have been inclined to do so, that our action was taken very hastily. The recommendation came from the Mayor on the 17th of October; we did not pass the ordinance until the very last day of the old year. We could not have postponed it to a later period and still bave acted during the Council year of 1910.

Therefore, I fail to see wherein there can be any fair criticism that we acted in a hasty manner. We could not have taken more time and have complied with the recommendation of his Honor the Mayor. I am just as firmly of the opinion as ever that this is a very proper ordinance, that it should be taken up and that action should be taken by the Council. The draft which we had before us was the work of our Law Department, a department which is costing the City of Boston $50,000 a year to maintain, and it seems to me that the work of the department has not met with the respect and the reception it should have met at the hands of some officials of the City of Boston. I hope we can overcome whatever objections there may be to this ordinance on the part of his Honor the Mayor. I want to meet him half way; I want to co-operate with him as I think this Council does. He sent in here a veto of that ordinance. He gave no reasons, logical reasons, why it should not be adopted, but he does say that he is still in favor of such a consolidation brought about in a manner that will meet with his approval. I want the Corporation Counsel to get together with the Mayor and to give us the result of their joint conference, submitting to this Board something which the Mayor can sign and let us then see if we can adopt it. At that time, of course, it will be a proper subject for discussion, and if we see fit to amend it we can do so. But I think this is the proper time for action. Let the Corporation Counsel and the Mayor get together and do something.

Coun. HALE—Mr. President, I move reference to the Executive Committee. My reason for the motion is not that I object to what is proposed, because I am heartily in favor of something of the kind, but I think likely we may thus be able to show the Corporation Counsel which way our minds trend upon this question. As far as I can make out, there are three alternatives,—first, an unpaid Board; second, a Board with a paid head, and with two others unpaid; and, finally, a single expert head. I think we ought to discuss those alternatives and suggest to the Corporation Counsel which of the three we approve of. I have very strong opinions personally, and I would not like to have the things come up before us in a form of which I did not approve.

Coun. KENNY—Mr. President, that is the very thing I wish to bring about, but I think the time to do it is now and here, in open session of the Council. This order does not commit the Council to any special form of ordinance. We have already attempted to meet the demands which are before us in this respect by passing an ordinance. The Mayor has vetoed it. It was really an ordinance prepared by the Law Department which he vetoed, with one or two amendments that the Council made. Now, why is it not better to allow the Mayor and the Corporation Counsel to sit down and talk this matter over, and say what they want? We can then determine afterwards what we want. Why can't we make better progress in that manner? It seems to me we should not refer this to the Executive Committee. We cannot do a thing there this afternoon that we cannot do here in open session. If the matter is to be discussed let us discuss it now. I hope my friend's suggestion will not be acted on, and I hope he will not insist on it. I think if the matter is allowed to proceed in the manner outlined in the order, we can get at it much more quickly and in a better way.

Coun. HALE—Mr. Chairman, I do not like to enter into debate on this subject when both the councilor and I agree on the ultimate purpose to be attained. Perhaps it may be just as well to discuss the matter now, but I think if we do that it would really be better for the Council to prepare an ordinance at this time, and then put it up to the Mayor. We can then consult with the Mayor, get his ideas, and incorporate them if deemed advisable, and get the Corporation Counsel's ideas. But the last time the experiment was tried the order came from the Mayor first, and we thought he approved of it. Afterwards, however, he vetoed it; so that method did not seem to work. I do not believe we can get the same results in the way suggested by the councilor that we would if we sat down and carefully prepared an ordinance along the lines we believe in. As I have said before I have very strong ideas on the question of paid and unpaid boards. I think this reorganized department should be under a single head, and that he should be paid a large enough amount to enable us to get just the single head we want. I don't care how much we pay him if we get the right man to look after the job. Then there might be two other members of the Board unpaid, with advisory powers, or with the power of veto, or they might simply give advice from time to time. That might be a good plan to consider. But I do feel sure that we want to have a paid head at the top, having all the responsibility center in him. I do not see why we cannot assume the responsibility of drafting a proper ordinance. We can have the Mayor at our conferences at times and ask him what he thinks of the various propositions. But I think we should assume the responsibility of getting an ordinance that we believe in That is the reason why I should rather have it stay in the hands of the Council than in the hands of the Mayor.

Coun. BUCKLEY—Mr. President, I don't know as it will do any good for me to talk on this matter to-day, but, like Coun. Hale and Kenny, I also have strong ideas on this subject. It seems to me that the matter was thoroughly threshed out at the meeting on February 4. At that time the ordinance that was passed here without my vote did not meet with the approval of the Mayor. No matter what ordinance we may pass in the future he can also veto that. So it seems to me, if anything in this line is to come up in the future, the initiative should be taken by his Honor the Mayor. Coun. Kenny said he believed exactly as his Honor the Mayor did on the consolidation principle; but I want to say now that I do not believe as his Honor the Mayor does on the consolidation principle, or as he professes to believe. I am absolutely opposed to it. I believe thoroughly that an ounce of prevention is worth a pound of cure, and I think we ought to stop right here and now and kill the order—not letting it go to the Executive Committee, but killing it here in the open session. I believe in having paid heads of all departments, even if we have to go to Texas or even to South America to get them, no matter where they may come from. But I believe we should stop this consolidation business right here and now and get down to a really practical way of running the City of Boston. If we keep on we shall be the laughing stock of the entire country. If we consolidate here and consolidate there, by the time we get through we will have one man running the City of Boston. I hope this year's City Council—even with the respect I have for my friend from South Boston—will kill this proposition right here and now.

Coun. KENNY—Mr. President, I would like to read what the Mayor said on this subject in his communication dated February 14:

"I return herewith, without my approval, an ordinance passed by your honorable body at its meeting of February 4, abolishing the Bath, Music and Public Grounds Departments and transferring their duties to the Park Department. My objection is not so much to the substance of the ordinance as to its form."

I call attention to those words, Mr, President,—"my objection is not so much to the substance of the ordinance as to its form."

"Apparently the City Council has done no more than absorb the Bath, Music and Public Grounds Departments into the existing Park Department, with its present board of commissioners, modified only by the awarding of a salary of $5,000 per annum to the chairman. What I had hoped, in recommending in a communication of an earlier date the general subject to your consideration, was the framing of an ordinance which should not merely consolidate but reorganize the entire recreation service of the city."

Mr. President, I think it will be a mistake if this Council refers this matter to the Executive Committee for the purpose of further discussion among ourselves and without knowing just what the Mayor would like to have done. It merely means delay, at the very best. It seems to me if the Council is desirous of bringing this matter to a head, to a speedy determination, we ought to consult the Mayor and the Mayor ought to be allowed to consult with his Corporation Counsel. I do not see how any good can possibly come out of referring this matter to the Executive Committee. You are simply going to tie it up. It seems to me that if we allow the Mayor and Corporation Counsel to confer and give us the results of their judgment we will come much nearer reaching a conclusion ourselves. It does not bind us. We can adopt the suggestions of my friend Coun. Hale, if we see fit, after we have a report from the Law Department. But this is a very important matter. It is a technical matter, and that is one of the reasons for the existence of

our Law Department, to prepare drafts of ordinances for us. It is a very proper request for us to make, and I can see no possible objection to adopting my order now without referring it to the Executive Committee. All the rights of the Council are preserved. When the matter comes back to us we can thresh it out and send for the Mayor. Perhaps then we can have a union of minds on the matter. The Mayor may come to our opinion or we may come to his. But I think this is the proper way to proceed, and I hope this will not be referred to the Executive Committee.

Coun. COLLINS—Mr. President, it seems to me on a matter of this size no harm can come from having this referred to the Executive Committee, provided the Executive Committee acts on it to-day. There are members of the Council here who perhaps have not gone over this correspondence as minutely as some other members, and in a matter of this consequence, in which so much is at stake, it seems to me we should proceed with due haste but at the same time deliberately. Since this is a matter concerning thousands of people in the City of Boston and also concerning the revenue and the resources of the city, in so far as these departments are concerned, it seems to me wise that the matter should be referred to the Executive Committee—not, however, incorporating Mr. Hale's ideas, but acting on it forthwith to-day.

Coun. KENNY—Mr. President, if the matter can be acted on to-day I have no objection to its being referred to the Executive Committee,—none at all, with that understanding.

Coun. HALE—Before I vote on the reference, what does the councilor mean by acting on it to-day.

Coun. KENNY—That we shall report back from the Executive Committee to this Board this afternoon.

Coun. HALE—That, of course, is entirely satisfactory to me.

Coun. BUCKLEY—Mr. President, before that is put to a vote I would like to know what additional information we can get in Executive Committee that we cannot get here in open session? If the committee is going to report back this afternoon I do not think it can give the weighty consideration to the problem that it would like to have the public think that it gives to these matters. We tell the public that we are going to consider these matters, to give weighty consideration to them, and then we simply sit down for a few minutes and say, "What do you think?" "What do you think?" "What do you think?"—and that is all there is to it. We might just as well have it out here now, if the committee is going to report back to-day; so I hope it will not be referred to the Executive Committee.

Coun. HALE—Mr. President, I am perfectly willing to withdraw my motion to refer to the Executive Committee if I can have an amendment adopted by which the Corporation Counsel will be requested to draft an ordinance which will provide for a single paid head at the head of this new department. I think, for instance, that it would be foolish to have the Corporation Counsel prepare a careful ordinance based on lines that we disagree with, and unless we go at this in a proper way it simply means duplicating the work of the Law Department and duplicating our own work. I would like very much to find how the Council feels about having a paid head. I know one question raised in connection with a paid head is the question of land-takings. It seems to me that can be obviated very easily by having additional advisory members, such as I referred to, perhaps having the veto power on that one thing. The land-taking power of the Park Department would be a comparatively small part of its duties, and I think perhaps in land-takings it would be just as well to have an advisory committee or members who would have a veto power in regard to land-taking. That would in no way lesson the responsibility of the head of the department for the administration of this huge department. I can see no reason why the Council cannot go on record here now on the question of whether it favors an unpaid Board, a paid head with unpaid associates, or a single paid head upon whom the whole department rests. I would like to offer such an amendment, and if I may do so I would be willing to withdraw my motion to refer.

Chairman BALLANTYNE—The Chair will rule that Coun. Hale's motion to refer takes precedence, unless Coun. Kenny is willing that this amendment by Coun. Hale shall be added to his motion. In that event the motion as amended might take precedence of the original motion.

Coun. KENNY—Mr. President, with all due respect to my friend Hale I shall be very glad indeed to join with him in any scheme or plan he may have in regard to the perfection of the ordinance. But I cannot agree to his latest suggestion. I should like to have this go to the Law Department or his Honor the Mayor unencumbered; I should like to have them take it up *de novo*. We have already passed an ordinance which we thought was a proper ordinance. I still think so. I have no doubt my friend on the other side of the Chamber still thinks so. Now, why hamper the Corporation Counsel with any conditions? Why not have him with the Mayor prepare an ordinance such as the Mayor desires and then let the Council take up the questions that are suggested here by Coun. Hale? We can then, if it is deemed advisable, conform to the suggestions proposed, inserting something in the ordinance if it does not as presented to us meet with our wishes. It may come back to us in such a form that we can all agree to it, with the possible exception of my friend from Charlestown. Therefore, I cannot accept the suggestion of Coun. Hale, but must ask that the matter be passed upon now, and in view of the suggestions by Coun. Buckley, and also in view of what has been said here by others, I am going to vote against reference to the committee.

Coun. McDONALD—Mr. President, I cannot see why, this being an important matter, it should not be referred to the Executive Committee. As I have listened to the order as read by Coun. Kenny, it means just the same as the ordinance we passed here the fourth of February. The Mayor's objection to the ordinance at that time was that it abolished the Bath, Public Grounds and Music Departments and consolidated them with the Park Department. This order reads in the same way. I think this is an important matter; I think the amendments suggested by Mr. Hale are important and I don't think we should be asked to vote on the matter without thorough consideration. If we are not going to refer this to the Executive Committee I move that it be postponed to the next meeting, so that the members may have a chance to consider the proposed amendment and the order as introduced before being asked to vote upon it. We should not act upon this matter hastily. I hope it will be referred or postponed.

Chairman BALLANTYNE—Does the gentleman move postponement to one week from to-day?

Coun. McDONALD—Mr. Chairman, in case it is not referred to the Executive Committee I shall make that motion.

Coun. KENNY—Mr. President, it seems to me that this matter has taken rather a chaotic turn. I see no occasion for these declarations of what we want or don't want at this time. We will have time by and by to consider what we desire and what we will vote for. That is not the point at all now. We have already passed an ordinance that did not meet with the approval of the Mayor. I am now trying to bring about an ordinance that will meet with the approval of the Mayor.

Coun. McDONALD—Mr. President, possibly all the members who voted for that ordinance February 4, are of the opinion of Coun. Kenny. But his order as introduced to-day distinctly says, unless I misunderstood the order as read, that the Public Grounds, Music and Bath Departments be abolished and consolidated with the Park Department. The Mayor says he objects to any sort of consolidation. If we are proposing to pass an order instructing the Mayor as to what he is to do when he confers with the Corporation Counsel and he already has said that he objects to such a consolidation, what is the use of sending the order to him? Why not draw it up properly and send it to him in proper form? Let the Mayor and Corporation Counsel draw up an ordinance and send it to us and if we think proper we can amend it or pass it. But the order introduced here specifically instructs the Mayor and Corporation Counsel what to do, to abolish three departments and consolidate them with the Park Department. The Mayor objects to that and so stated in his veto.

Coun. KENNY—Mr. President, it must be very evident here that the gentleman from Charlestown is mistaken. He has stated almost exactly what I have already said as to what I wish here. The Mayor and the Corporation Counsel have no right to pass an ordinance; they have no right even to frame an ordinance. We are to pass the ordinance. The Mayor has not said he does not believe in the consolidation; on the contrary, he

has said that he does. Now, I will take the very words of my friend from Charlestown and incorporate them in my statement. That is what I want to do, to have submitted to this body an ordinance that we can consider, not necessarily that we shall pass.

The question came on reference to the Executive Committee.

Coun. BUCKLEY—Mr. President, I would like to amend the motion by moving that we give a hearing to the heads of each of the departments interested, and then report back to the City Council after having that hearing.

Chairman BALLANTYNE—The Chair does not quite understand the motion.

Coun. BUCKLEY—Mr. President, my idea is that the committee shall not report back to-day, but shall summon the Park Commissioners, the Bath Trustees, the Trustees of the Music Department and the Superintendent of Public Grounds Department, all the departments supposed to come under this consolidation, and after hearing what they have to say, report back to the City Council.

Coun. KENNY—Mr. President, I trust that that amendment will not prevail. It seems to me that we are putting the cart before the horse here. All that can come later. When we have the ordinance back we will know what the Mayor is willing to sign, and then we can consult, if we wish, with the heads of the departments. We are not going to pass an ordinance to-day or next Monday. I shall be perfectly willing to have the heads of departments come before us and to give them a full hearing on the matter. I simply wish to proceed in an orderly manner and with expedition. We can pass the order I have offered this afternoon. The Mayor and Corporation Counsel can prepare a draft of an ordinance and submit it to us. Then, before taking our position on the matter, we can, if we wish, having found out what kind of an ordinance the Mayor is willing to sign, have him come before us and state his views, and we can state our views. We can also have the heads of the departments come before us and talk the matter over with us. In that way we can probably arrive at a conclusion that will be satisfactory.

Coun. BUCKLEY—What is the use of summoning in those department heads when you have already agreed what you are going to do? It is just the same as going into court knowing that the case has already been decided and still expecting to get justice. In my opinion this is the proper time to summon those people in. I do not believe in putting the proposition up to his Honor the Mayor for the purpose of putting him in a hole, until we are absolutely certain that we want something of this kind. We may not want consolidation, may not want to pass such an ordinance, and I believe that the men conversant with the affairs of those respective departments should be allowed to say what they believe in before we pass it. We already thought and were informed during the consolidation proceedings before that the Park Commissioners were absolutely willing to take over the work of the other departments, but it turned out that they were not willing; and how do we know now that it is not a bad plan to consolidate those departments? Why should we take the initiative? Why should not his Honor the Mayor take the initiative? I saw in a newspaper within three or four days that he was going to present such an ordinance or order to the Council. Why not let him do it? Why should the City Council take the initiative? Let him do so, and then, if we do not believe in his ordinance, let us turn it down. But I notice that most of you believe in every order he sends in, or almost every order, and that you vote for it. Personally I do not believe in an ordinance or order of that sort. I hope my amendment will prevail, and that the committee be instructed to have this hearing, before we take any action in the matter. I think myself that the Mayor should take the initiative.

Coun. KENNY—Mr. President, I must explicitly disclaim any purpose of putting the Mayor in a hole. On the contrary, I wish to pull him out of a hole. I think he is in a hole now. It is the duty of the City Council to pass ordinances. It is not the Mayor's duty. He may submit them to the Council, but it is just as much the duty of the City Council to prepare and pass ordinances as it is the duty of the Mayor to submit them to us. Let us do our duty. Are we to sit here from Monday to Monday waiting for the Mayor to send in orders or ordinances to us and then holding up our hands like schoolboys, saying yes when the Mayor says one thing and no when he says something else? We are not here for that purpose. We are a constructive body. We should take the lead. We have already gone ahead and passed an ordinance, and the Mayor has vetoed it. The Mayor has put himself in a hole, and if I can get him out of it I shall do so, gladly. I hope no other references of that character will be made during the debate. They are unworthy of this body. We are discussing an economic question here and let us do what we consider our duty, as representatives of the City Council, without regard to whether the Mayor is in or out of a hole.

Coun. SMITH—Mr. President, I hope Coun. Kenny's motion will go through, for this reason. The Board of last year passed a consolidation ordinance here by a vote of six to two. That was a consolidation the body of which was submitted by the Mayor. It is evident that the majority of this Council and the Mayor agree in principle. The question is simply what form the consolidation shall take. The Council has shown the form it desired. It seems to me it would be a good plan for us to now learn what the Mayor desires. If we don't do this, it will only delay matters. For that reason and that reason alone, regardless of what may be said to the contrary,—simply to expedite matters and to learn what the Mayor desires in this matter,—I hope Coun. Kenny's order will go through and that we will simply ask the Mayor, as I understand the order, with the aid of Mr. Babson, to draft a measure which is satisfactory to him.

Coun. HALE—Mr. President, I hate to take up any more of your time, but it seems to me the difference between Coun. Kenny and myself on this question is more one of procedure than otherwise. There are two parties who have to agree before such an ordinance can go through—the Mayor and the City Council. Coun. Kenny's principal purpose is to find out what the Mayor wants and I think it is a very good plan to find out what the Mayor wants. My object has been to find out what the Council wants on this particular point. It is not a question of the form of the ordinance or anything else. We have all, according to the arguments we used in the closing session of last year, considered this ordinance very carefully. We have considered this question of consolidation. We ought to be prepared now to get this preliminary question out of the way. I don't see why it is not just as important to find out what the Council wants now as to find out what the Mayor wants. It will simply be cleaning up so much preliminary work. Then we can go ahead on the line we want. I cannot see the point in putting it up to the Mayor, when there is simply one of two alternatives. Either we are or are not in favor of a paid head. Let us assume that we are. If the majority of the members are in favor of a paid head, we might just as well ask for a paid head. If, on the other hand, we do take the initial action and it comes back from the Mayor without provision for a paid head, assuming that the Board is in favor of a paid head, we will not accept the Mayor's proposition. I don't see why, if we leave it in the first place with the Mayor and Corporation Counsel, we shall be any better off. We will then have to begin the thing all over again. I think we might just as well declare ourselves now as to whether we are in favor of a paid head or not. I shall move the amendment I have suggested, if my motion to refer to the Executive Committee is beaten, but if the matter is to be referred to the Executive Committee I shall be glad to withdraw the amendment at this time. We have threshed this out thoroughly, and all I want is to get that preliminary question in regard to a paid head out of the way. I believe there should be a paid head, personally, and there is then, of course, the question of whether there shall be a single paid head or a paid head with unpaid advisers.

Coun. KENNY—Why not make your motion now and have it out right here?

Coun. HALE—I had already asked the councillor to give way, with the idea of doing that, but he was not willing to do so.

Coun. KENNY—Mr. President, I was about to suggest that it is now after four o'clock. We have asked people to appear here at four o'clock for a hearing. In order to save the time of the Board I would be willing to vote to send this to the Executive Committee, if the matter can be reported back to-day.

Coun. Buckley's amendment was declared lost. Coun. BUCKLEY doubted the vote and asked for the yeas and nays. The amendment was lost, yea 1, nays 7, Coun. BUCKLEY voting yea.

Coun. Hale's motion to refer to the Executive Committee was carried.

THE GARBAGE SITUATION.

Coun. HALE—Mr. President, I move tbat Commissioner Rourke be requested to come before us a week from to-day, or if possible to-day, and state to the Council in executive session or in open session what has heen done with regard to the question of garbage disposal. I think we should take this question right up and get it started. I know that tbe commissioner has a great deal of information that he can give us, and I would like to bave that information submitted to tbe body.

Coun. Hale's motion was carried.

NEW QUARTERS, FIREBOAT.

Coun. KENNY—Mr. President, some two weeks ago, I helieve, there was an order submitted by the Mayor requesting a loan of $5,000, supplementary to a loan of $15,000 whicb was made for the Fire Department. The $5,000 was for the completion of the work on the dock, in connection with the fireboat, which had already been started. I understand from the Fire Commissioner that there is very great need for speedy action upon the matter. Work is being held up awaiting the action of the Council on that proposition of the Mayor. The loan order was referred to the Finance Commission, when appointed. In order that that matter may come in this afternoon and be considered hy this Board, I move that it be recalled from the files of the Committee on Finance and referred to the Executive Committee so that we may consider it when we go outside.

The papers were taken from the files as follows:

Message of Mayor, communication and order (referred February 13) for loan of $5,000 for new quarters for fireboat.

Referred to the Executive Committee.

Coun. BUCKLEY—Mr. President, I would like to ask Coun. Kenny, through you, as he seems to have tbe information, if the Fire Commissioner got any otber loans on this particular proposition?

Coun. KENNY—I heg your pardon. I didn't quite get your question.

Coun. BUCKLEY—If he has put in an estimate, and he finds that he wants $5,000 more than his first estimate, that the cost of doing this work exceeds his original appropriation?

Coun. KENNY—That is all the subject of correspondence whicb appears in the record files. I understand it is filed.

The CHAIRMAN—The Chair understands it is to fit up quarters for the crew of this hoat.

Coun. KENNY—Yes.

COMMITTEE OF THE WHOLE.

Coun. KENNY—I move that the Council resolve itself into a committee of the whole for the purpose of considering from time to time the appropriation. The annual bill was presented last Monday hy the Mayor and the statute is now running against it. We only have sixty days within which to act. If action is not taken by the Council, it hecomes operative within sixty days. It seems to me it is the most important matter of the entire year, and in order that there may not he any further delay I make this motion. Of course when the Committee on Appropriations has this matter before it, it is hefore every member of the Council, and this really results in the same method of procedure. If we resolve ourselves into a committee of the whole, we can then take up the appropriation bill from time to time and not lose any further opportunity to consider it.

Coun. SMITH—Mr. President, I have no decided opinion against this, except as I think we ought to get down to husiness and elect a president. For three weeks we have heen here beating on and off the subject, with only one vote—and when I say only one vote, I mean we have only taken the presidency up one afternoon and had four consecutive votes on it. It seems to me that it is time that we fulfilled our duty and attended to the city's business, instead of talking ahout this minor honor which is to hc bestowed on one of our numher, and for that reason I hope Coun. Kenny's motion will not prevail. It seems to me, after the hearing which we had on for this afternoon, we ought to first elect a president. All this is husiness that the Council is supposed to do, and after three weeks of nonaction we ought to he in a position to take that matter up. I think that our position hefore the city is ridiculous. I think we are making ourselves a laughing stock in not being able to select one of our number to lead us, and for that reason—and for that reason only—I oppose Coun. Kenny's motion to hecome a committee of the whole on appropriation.

Coun. KENNY—Mr. President, I think I can set the matter right, perhaps. I was mistaken in my suggestion tbat the statute was running on the appropriation. The statute only runs on loans and ordinances, and therefore the statute is not running and no especial harm has been tbus far entailed hecause of our not proceeding. So therefore I will withdraw my motion.

The CHAIRMAN—If there is no objection, Coun. Kenny will be allowed to withdraw his motion. There is no objection.

EXAMINATION OF APPROPRIATION BILL.

Coun. HALE offered an order—Tbat the Finance Commission he requested, through his Honor the Mayor, to examine the appropriation hill as suhmitted to the City Council and report its findings forthwith; also that the Finance Commission he requested to have one of its representatives present at the meetings of the Committee on Appropriations, when appointed, to discuss the various items in the bill as suhmitted.

Coun. HALE—Last year and year before we really lost a good deal of efficiency by not having some expert with us at the time of our consideration of the appropriation bill. We asked the Finance Commission last year to send somebody down, hut we really did not give them time enough heforehand to be ready. Now, one of the principal reasons that the Bureau of Municipal Research was put in was for this very ohject, to enable us to have an expert with us when we are considering these detailed figures, and my purpose in putting this in now abead of time is so that they can he preparing and getting ready, and when asked can have somehody come down to make suggestions to us and help us and advise us, hecause I do not myself, and I do not helieve any of the other memhers of the Council feel that they ever bave been able to thoroughly understand, the way a statistician or mathematician or expert would, these figures on the appropriation hill, and I think an expert would he of very great assistance to us.

The order was passed.

MONEY EXPENDED ON CHARLESBANK.

Coun. HALE offered an order—That the Park Commissioners be requested, through bis Honor the Mayor, to suhmit to the City Council a detailed statement as to money spent on the Charlesbank from the Parkman Fund, under the order of the City Council of 1910 appropriating $20,000 for that purpose.

Passed.

VALUE OF CITY PROPERTY.

Coun. HALE offered an order—That the Statistics Department he requested, through his Honor the Mayor, to suhmit to the City Council a report as to the real estate and buildings owned hy the City of Boston, also the value of said property at the time of purchase or construction and the value of said property at the present time.

Coun. HALE—This is similar to an order that I put in last year, and on which I never received any information. It is in my opinion a popular fallacy, which has spread especially among many thinking men, that in considering the city's finances we should only look at tbe deht side. We have had voluminous reports as to the increase of the city debt. Now, I have never felt that the increase in the city debt alone was the fundamental thing. If the permanent improvement of real estate and otber things which we get for our money increases at a more rapid rate than our deht, I cannot see why the same does not apply to a city as to an individual. In other words, I think that the important thing is to get your money's worth for the money you spend. I do not helieve that any city can advance without spending a great deal of money. You have got to spend more and

more as the city grows. I have thought about this ever since I have been in the city government, and I have come to believe in it very strongly, that the policy of inaction and refusing to pass loans is not farsighted. The real thing is to find out what loans are really needed and then to make sure that we get our money's worth when we borrow money. For instance, take the example that Coun. Buckley brings up from time to time. We did not appropriate money for the playground in Charlestown last year. Now, if Charlestown needs a playground,—I personally have no question but what it does in that particular place,—assuming that it does, were we really economical in refusing to borrow that money last year, when we had the borrowing capacity to do it? Supposing we put it off ten years, what we could have bought this year for $100,000 we may have to pay $200,000 for ten years from now. That is particularly true of Coun. Collins's district in West Roxbury and all those places. If we now have to borrow the money, even if we do increase the city's debt, we are getting something for a great deal less than we get it five years from now or ten years from now. I have recently seen in the State of Washington that they passed a law that all new cities have to devote a certain amount of their space, whenever they expand, to playgrounds. That is a farsighted policy, but of course it costs them money. They have to borrow to get that land or else they have to fail to utilize the land that they have got, which is the reverse of the same proposition. I have a strong feeling that it is better economy to spend money from time to time on things that are needed rather than simply to put it off and present a better showing in figures, and then when the congestion comes in those districts have to pay about five times as much as they would have to now. My purpose therefore in putting in this order is to try to find out how the assets, the things, property, buildings and other things for which we have used the money which we have borrowed, have been getting on, whether they have or have not been increasing in value, and how they compare with the debt.

The order was passed.

DISPOSAL OF GARBAGE.

Coun. HALE offered an order—That the Executive Committee give public hearings in regard to the disposal of garbage, the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses.

Coun. KENNY—Mr. President, I would like to have that order read again, please.

(The order was again read by the Clerk.)

Coun. HALE—I move that it be referred to the Executive Committee.

The motion was carried.

QUESTION OF INFORMATION.

Coun. COLLINS—I rise for a question of information. Do I understand a hearing has been scheduled at four o'clock to-day for some members of the public?

Coun. HALE—The City Messenger has some information in regard to that subject which he just gave me.

The CHAIRMAN—We are to have Mr. O'Rourke with us, and it will not take him very long to say what he has got to say.

Coun. COLLINS—My only point is this: If we agree with certain members of the public to have a hearing at a certain appointed hour, we ought to do our part. For that reason at about four o'clock I moved a recess. I didn't think at that time there would be a flood of orders coming in *ad infinitum*.

The CHAIRMAN—The Chair will state that Mr. O'Rourke is willing to come in at a later session.

RECESS TAKEN.

The Council voted at 4.30 p. m., on motion of Coun. COLLINS, to take a recess subject to the call of the Chair.

The members of the Council reassembled in the Council Chamber and were called to order by the Chair at 6.37 p. m.

BALLOT FOR PRESIDENT.

Coun. HALE—Mr. President, I move that we do now ballot for president ten successive times.

Coun. McDONALD—Mr. President, I amend the motion that we ballot for president once.

Coun. BUCKLEY—Mr. President, before that motion is put I wish to say that I ought to be in school by quarter past seven and there are various other things that I should attend to. I have stayed here all the afternoon, and it seems to me that we ought to get an expression of the general opinion as well by one ballot as by ten. It seems to me if a man starts voting one way he is not apt to change simply because we vote ten different times. Once should be sufficient as showing the preferences of the members.

Coun. SMITH—Mr. President, I think there may be a good deal in what Coun. Buckley has said, but I want to speak for myself in that regard. At the first meeting of the Board I urged upon the Board immediate action as to the presidency. I was absolutely sincere in that. I outlined the fact that the honor was empty. The Mayor is always the Mayor, no matter what part of the country he is in, as Mr. Babson has said. The power is small, as most of the committees are committees of the whole. I urged the Board then to act immediately, and I have been consistent in that stand ever since. I think it is only fair to say that if I had not asked for the one ballot we have taken, that of two weeks ago, there would have been no ballot then. I, for one, am perfectly willing to vote for almost anybody who will get four votes two successive times. That is why I am in favor of Mr. Hale's motion that there be ten successive ballots. If any member of this Board can show four votes for president two successive times I shall give him my vote right away. I wish to show my good faith in the matter by this statement. Therefore, what Mr. Buckley has said does not apply to me. My vote may easily change on the third or fourth ballot. For that reason I hope Mr. Hale's motion will prevail. I sincerely hope the Board will get down to business. We have been elected to transact the business of the city and not to squabble for an empty honor, or what seems to me an empty honor, for one of our number. I sincerely hope Coun. Hale's motion will go through.

Coun. Hale's motion was put, and the Chair being in doubt a rising vote was ordered. Before the doubt was settled Coun. KENNY said:

Mr. President, I would like to say a word before the vote is taken. I have an engagement which I must keep this evening, and I can stay here but a very short time, long enough to take one or two ballots. I do not want to spend the evening here balloting, because I must go.

The motion to take ten successive ballots was declared lost on a rising vote, 2 to 5.

Coun. McDONALD'S motion to take a ballot was carried. The roll was called and the members announced their choice of president with the following result:

For John J. Attridge—Coun. Attridge, Hale, McDonald—3.

For Walter C. Ballantyne—Coun. Ballantyne, Kenny, Smith—3.

For Walter F. Collins—Coun. Buckley, Collins—2.

And there was no choice.

EXECUTIVE REPORTS.

Coun. HALE, for the Executive Committee, submitted the following:

(1) Report on petition of Harriett Brackett (referred to-day) for permit for children under fifteen years of age to appear at Seaman's Friend Hall on March 28—that a permit be granted.

Report accepted; permit granted on usual conditions.

(2) Report on message of Mayor, communication from Fire Commissioner and order (taken from files to-day) for loan for new quarters for fireboat—recommending the passage of the following:

Ordered, That the sum of three thousand dollars ($3,000) additional be hereby appropriated, to be expended under the direction of the Fire Commissioner, for new quarters for fireboat, Boston side, and that to meet such appropriation the City Treasurer be authorized to issue from time to time, on request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

Report accepted; and the order took its first reading, yeas 8, nays 0.

(3) Report on order (referred to-day) that the Cemetery Trustees grant a Saturday half holiday to all employees in their department during the present financial year—recommending reference to the Cemetery Trustees for their report and recommendations.

Report accepted; said reference ordered.

(4) Report on order (referred to-day) that the Corporation Counsel and Mayor confer together with a view of framing a new draft of ordinance abolishing the Bath, Music and Public Grounds Departments and transferring their duties to the Park Department—that the order ought to pass.

Report accepted; order passed.

Adjourned, on motion of Coun. SMITH, at 6.44 p. m., to meet on Wednesday, March 1, at four o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Wednesday, March 1, 1911.

Adjourned meeting of the City Council, held in the Council Chamber, City Hall, at four o'clock p. m., Coun. BALLANTYNE, senior member, in the chair. Absent—Coun. Curley.

ELECTION OF PRESIDENT.

Coun. HALE—Mr. President, I move that we now take ten successive ballots for President.

Coun. BUCKLEY—Mr. President, I move to amend the motion by adding the words "unless elected sooner."

Coun. HALE—I accept the amendment.

The motion as amended was carried and the Council proceeded to ballot for a President, with the following result:

For Walter Ballantyne—Coun. Ballantyne, Hale, Kenny, Smith—4.

For Walter L. Collins—Coun. Attridge, Buckley, Collins, McDonald—4.

And there was no choice.

The Council proceeded to another ballot, as follows:

For Walter Ballantyne—Coun. Ballantyne, Hale, Kenny—3.

For Walter L. Collins—Coun. Attridge, Buckley, Collins, McDonald, Smith—5.

And Coun. Collins was declared elected President for the municipal year 1911.

The Chair appointed Coun. Kenny and Attridge to escort the President-elect to the chair.

Coun. BALLANTYNE—Mr. President, I congratulate you and I trust that the duties of the office will be as pleasant for you as they were for me, and that you will be tendered the same kindness and courtesy by the members.

Coun. COLLINS—Retiring President and fellow members of the City Council: Words are absolutely too crude and inadequate to express my real appreciation of the honor which you have this day given me. It seems to me not meet at this time to make any speech, but simply to say that while I am in this office I shall try to do my duty fairly and well, and I hope at the close of this year it will be said that I have done my duty to the best of my ability. After all is said and done that is the most priceless heritage that I can have at the close of the year,—the feeling that I have tried to do my duty by all the members of the City Council and therefore by the people of the City of Boston.

Coun. ATTRIDGE—Mr. President, I rise to a question of personal privilege.

President COLLINS—Coun. Attridge has the floor.

Coun. ATTRIDGE—Mr. President, I have been one of the candidates for the office of President of this body. Personally I have made no great effort to secure votes. I believe that it is an honor to be elected President of this body. It is a position of responsibility. It is an honor to be elected to this Council by the people of Boston, and the office of President is one of responsibility and honor because of the probabilities and possibilities attached to it. The charter makes certain specific provisions in reference to the office of Mayor and as to who shall hold that office in case of death of the Mayor, in case of sickness or in case of absence of the Mayor from the city. This office of President of the city government has in the past been an important one and it is an honorable one for any member of the city government to hold, irrespective of what may be said about "empty honor." I had three votes, the votes of two members besides my own. I have tried to be honorable throughout the entire matter. I was guided somewhat in my actions by reason of a statement that was made by our friend and my friend, Mr. Ballantyne. I believed that he was sincere when he made the statement. Of course, conditions were such that although he stated he was not a candidate the fact that he voted for himself with two other men in this small body, even though he were not a candidate, helped in a way to make it impossible for this Council to organize. I quite agree with Coun. Smith and Kenny that we should get down to business, that our own personal ambitions, whatever they may be, should be secondary to the interests of the city. Nearly a month has elapsed since this new Council was inaugurated, and I felt after the conference this afternoon, when I found that no one else was willing to give way, that I was not so ambitious, so zealous for the position, that I could not give way. Rather than delay the organization of the city government, rather than delay the business of the city and its work, I felt that I at least ought to withdraw. I was guided also in my actions by what Mr. Smith had said. He had said that if any man received four votes on two consecutive ballots he would vote for him, and I took him at his word as a man. I find that he is a manly, upright man; I find him true to his word. One newspaper in Boston to-day criticised the Council of 1910; it also in a way criticised the Council of 1911, this present body. I think that this body will measure up to the standard of last year's body. I think that all the men here are honest men, working in the interests of the city. Of course, human nature is such that all men do not agree at all times upon all propositions; but I think that this city government for this year will prove that it is an honest city government, that it is a progressive city government, and that it will give the City of Boston a businesslike administration.

COMMITTEE ON RULES.

Coun. BALLANTYNE offered an order—That a special committee of three members of the City Council be appointed to prepare and report a draft of the rules for the government of the Council for the present year, and to consider and report on such matters as may hereafter be referred to them.

Passed.

GENERAL RECONSIDERATION.

On motion of Coun. McDONALD general reconsideration of all action taken to-day was refused.

APPOINTMENT OF COMMITTEE.

Coun. KENNY—Mr. President, may I suggest that we take a recess in order to give the Chair an opportunity to appoint that committee, because time is running and if the committee is appointed now we will save some time by it. I move that we take a recess of fifteen minutes, if that is agreeable.

President COLLINS—The Chair will state to the councilor that five minutes will give the Chair ample time.

The Council voted at 5.10 p. m. to take a recess of five minutes. At 5.18 p. m. President COLLINS called the Council to order and announced as the Committee on Rules Coun. Ballantyne, Attridge and Collins.

Adjourned, on motion of Coun. BALLANTYNE, at 5.19 p. m., to meet on Monday, March 6, at 3 p. m.

ALLIED PRINTING TRADES UNION LABEL COUNCIL BOSTON, MASS. 21

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 6, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair. Absent —Coun. Curley, Hale.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last two meetings.

JURORS DRAWN.

Four grand jurors were drawn for the United States District Court, to appear March 21, in accordance with the provisions of chapter 514, Acts of 1894, viz.:

Joseph A. Williamson, Ward 20; John H. Moy, Ward 23; George P. Putnam, Ward 11; Frank J. McQuatters, Ward 5.

COST OF WIDENING NORFOLK STREET.

The following was received:

City of Boston,
Office of the Mayor, March 4, 1911.

To the City Council:

I return herewith an order passed hy your honorahle body at its meeting of Fehruary 27, 1911, "that the Board of Street Commissioners be requested, through his Honor the Mayor, to suhmit to the City Council an estimate of the cost of widening Norfolk street, Dorchester, from Codman square to Blue Hill avenue, to a width of sixty feet," with a communication from the secretary of the Street Laying-Out Department, giving the estimate which is desired.

Respectfully,
WALTER L. COLLINS, Acting Mayor.

City of Boston,
Street Laying-Out Department,
March 3, 1911.

Hon. John F. Fitzgerald, Mayor:

Dear Sir,—Replying to the inclosed order of the City Council, requesting an estimate of the cost of widening Norfolk street, Dorchester, from Codman square to Blue Hill avenue, to sixty feet, the Board of Street Commissioners submits the following:

Land, grade and building damages.....	$135,000
Construction.....	125,000
Total.....	$260,000

Very truly yours,
J. J. O'CALLAGHAN,
Secretary.

Referred to the Committee on Finance.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

John Kilday, to he paid for a suit and hat damaged while he stopped a runaway horse belonging to the city.

Rose Meroth, to be paid for a coat torn by a projection on the fence of the Neponset Playground.

Mary A. Reardon, for compensation for damages occasioned by the construction of the street, etc., in front of 45 Stonehurst street, Ward 20.

County Accounts.

Albert S. Buswell, for retirement under the provisions of chapter 459 of Acts of 1910.

Executive.

Petitions for permits for children under fifteen years of age to appear at various places of amusement, viz.:

A. M. Gardner, for children to appear at Mechanics Building April 22 to May 20, 1911.

Isabel Florence, for children to appear at Huntington Chamhers Hall, March 29.

Joseph V. Tracy, for children to appear at Parish School Hall, March 17.

NOTICE OF HEARING.

Notice was received from the West End Street Railway Company of hearing hefore Railroad Commissioners on March 9 on petition for approval of 343d location.

Placed on file.

GRANTING OF LOCATION.

A copy of vote granting location on Charles River Dam to West End Street Railway Company was received from the Metropolitan Park Commissioners.

Placed on file.

CITY COUNCIL RULES.

Coun. BALLANTYNE, for the Committee on Rules, suhmitted the following:

The special committee appointed to prepare rules for the government of the City Council for the current year report herewith the accompanying draft.

President.

Rule 1. The president of the council shall take the chair at the hour to which the council shall have adjourned and shall call the memhers to order, and, a quorum heing present shall cause the minutes of the preceding regular meeting to he read. In the absence of the president the senior member hy age present shall preside until a presiding officer is chosen.

Rule 2. The president shall preserve decorum and order, may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal. Any member may appeal from the decision of the chair, and, when properly seconded, no other business, except a motion to adjourn, shall he in order until the question on appeal has heen decided. The question shall he put as follows:

"Shall the decision of the chair stand as the judgment of the council?" The vote shall he hy a roll call, and it shall he decided in the affirmative unless a majority of the votes are to the contrary.

Rule 3. The president shall propound all motions in the order in which they are moved, unless the subsequent motion shall be previous in its nature, except that, in naming sums and fixing times, the largest sum and the longest time shall be put first.

Rule 4. The president shall, at the request of any member, make a division of a question when the sense will admit.

Rule 5. The president shall, without dehate, decide all questions relating to priority of husiness to he acted upon.

Rule 6. The president shall declare all votes; but if any member doubts a vote, the president shall cause a rising vote to be taken, and, when any memher so requests, shall cause the vote to he taken or verified hy yeas and nays.

Rule 7. The president shall appoint all committees, fill all vacancies therein, and designate the rank of the members thereof.

Rule 8. When the president of the council or the president pro tempore shall desire to vacate the chair he may call any member to it; hut such suhstitution shall not continue beyond an adjournment.

Motions.

Rule 9. Every motion shall he reduced to writing if the president shall so direct.

Rule 10. A motion to strike out and insert shall be deemed indivisihle; hut a motion to strike out being lost shall not preclude amendment, or a motion to strike out and insert.

Rule 11. No motion or proposition of a subject different from that under consideration shall be admitted under color of amendment.

ALLIED PRINTING TRADES UNION LABEL COUNCIL

Rule 12. When an order or resolution relates to a subject which may properly be examined and reported upon by an existing committee of the city council, such order or resolution shall, upon presentation, be referred to such committee. When a motion is made to refer any subject, and different committees are proposed, the motion shall he put in the following order:

1. To a standing committee of the council.
2. To a special committee of the council.

Rule 13. After a motion has heen put by the president it shall not he withdrawn except by unanimous consent.

Rule 14. When a question is under debate the following motions only shall be entertained, and in the order in which they stand arranged:

1. To adjourn.
2. To lay on the table.
3. To postpone to a day certain.
4. To commit.
5. To amend.
6. To postpone indefinitely.

Rule 15. A motion to adjourn shall be in order at any time, except on an immediate repetition, or pending a verification of a vote; and that motion, the motion to lay on the table, and the motion to take from the table, shall he decided without debate.

Readings.

Rule 16. Every ordinance, order and resolution shall, unless rejected, have two several readings, both of which may take place at the same session, unless objection is made, provided, however, that all orders for the expenditure of money presented to, or reported upon by a committee of, the council, shall lie over for one week before final action thereon. Whenever the second reading immediately follows the first reading the document may he read by its title only; provided, that all orders for the sale of land other than school lands, all appropriations for the purchase of land other than for school purposes, and all loans voted hy the city council shall require a vote of two-thirds of all the memhers of the city council, and shall he passed only after two separate readings and by two separate votes, the second of said readings and votes to he had not less than fourteen days after the first. Any memher offering an order which is referred to a committee shall he given an opportunity of being heard on the same hefore a report is made thereon.

Reconsideration.

Rule 17. When a vote has been passed any member may move a reconsideration thereof at the same meeting, or he may give notice to the clerk, within twenty-four hours of the adjournment, of his intention to move a reconsideration at the next regular meeting; in which case the clerk shall retain possession of the papers until the next regular meeting: and when a motion for reconsideration is decided that vote shall not he reconsidered.

Conduct of Members.

Rule 18. Every member when about to speak shall rise, address the chair, and wait until he is recognized, and in speaking shall confine himself to the question and avoid personalities. Any member who, in dehate or otherwise, indulges in personalities or makes charges reflecting upon the character of another memher shall make an apology in open session at the meeting when the offence is committed or at the next succeeding regular meeting, and, failing to do so, shall be named hy the president or held in contempt and suspended from further participation in debate until said apology is made.

Rule 19. No memher speaking shall, without his consent, he interrupted by another, except upon a point of order.

Rule 20. No memher shall be permitted to vote on any question, or serve on any committee, where his private right is immediately concerned, distinct from the public interest.

Rule 21. Every memher who shall be present when a question is put, where he is not excluded hy interest, shall give his vote, unless the council for special reason shall excuse him. Application to he so excused on any question must he made before the council is divided, or before the calling of the yeas and nays; and such application shall be accompanied hy a hrief statement of the reasons, and shall be decided without dehate.

Standing Committees.

Rule 22. The following standing committees of the council, to consist of three members each, except where otherwise herein provided, and all other committees, unless otherwise provided for, or specially directed hy the council, shall be appointed hy the chair:

1. A committee, to he known as the Executive Committee of the City Council, to consist of all the memhers of the council.
2. A committee on Inspection of Prisons, to consist of all the members of the council.
3. A committee on Appropriations, to consist of all the memhers of the council, to whom shall be referred such appropriation orders as may he suhmitted to the council from time to time.
4. A committee on Finance, to consist of all the memhers of the council, to whom shall he referred all applications for expenditure which involves a loan, or a transfer of any part of an appropriation named in the general appropriation order.
5. A committee on Ordinances, to consist of all the memhers of the council, to whom shall be referred all ordinances introduced in the council, or transmitted to them hy vote of any standing committee. Unless specially instructed, they shall pass upon the question of the form and legality of the ordinances so referred; they may append an order that such ordinance "ought not to pass" and give their reasons therefor, or report such ordinance in a new draft.
6. A committee on Claims, to consist of five councilors, to whom shall he referred all claims against the city arising from the act or neglect of any of its departments. They shall report annually a list of the claims awarded or approved hy them, and the amount of money awarded or paid in settlement thereof.
7. A committee on Legislative Matters, to consist of five councilors, who shall, unless otherwise ordered, appear hefore the committees of the General Court and represent the interests of the city; provided, said committee shall not appear unless authorized hy vote of the city council, and shall not, unless directed so to do by the city council, oppose any legislation petitioned for hy the preceding city council.
8. A committee on Printing, to consist of three councilors, who shall have the charge of all printing, advertising or puhlishing ordered by the city council, as one of its contingent or incidental expenses, and the supply of all stationery or hinding for the same purpose. The committee shall fix the numher of copies to he printed of any document printed as ahove, the minimum, however, to be six hundred; and they shall have the right to make rules and regulations for the care, custody and distrihution of all documents, books, pamphlets and maps hy the city messenger.
9. A committee on Puhlic Lands, to consist of three councilors, to whom shall be referred all matters relating to public lands.
10. A committee on County Accounts, to consist of three councilors.
11. A committee on Soldiers' Relief, to consist of three councilors.

Order of Business.

Rule 23. At every regular meeting of the council the order of business shall he as follows:

1. Communications from his honor the mayor.
2. Presentations of petitions, memorials and remonstrances.
3. Unfinished business of preceding meetings.
4. Reports of city officers.
5. Reports of committees.
6. Motions, orders and resolutions.

Report of Committees.

Rule 24. Committees, to which any matter is especially referred, shall report within three weeks or ask for further time.

Spectators.

Rule 25. No person, except a member of the council, shall he permitted to occupy the seat of any memher while the council is in session.

Rule 26. No person, excepting heads of departments, officials connected with the city council and reporters, shall be allowed in the anteroom or upon the floor of the council chamber while the council is in session. Spectators will be allowed in the gallery of the council chamber when the council is in session, and no one will he admitted to said gallery after the seats are occupied. The City Messenger shall enforce this rule.

Burial Grounds.

Rule 27. No permission for the use of land for the purpose of burial shall be granted until a public hearing shall have been given by the city council after due notice has been served upon abutters, on the application for such permission.

Smoking in the Council Chamber.

Rule 28. No smoking shall be allowed in the council chamber when the council is in session.

Meetings.

Rule 29. No meeting of any committee shall, without the consent of all members thereof, be called upon less notice than twenty-four hours from the time the clerk shall have mailed the notices or dispatched them by special messenger.

Form of Votes.

Rule 30. In all votes the form of expression shall be "Ordered" for everything by way of command, and the form shall be "Resolved" for everything expressing opinions, principles, facts or purposes.

Transfers and Loans.

Rule 31. Every application for an additional appropriation, to be provided for by transfer or loan, shall be referred to the executive committee unless otherwise ordered, and no such additional appropriation shall be made until the said committee have reported thereon.

Amendment and Suspension.

Rule 32. The foregoing rules shall not be altered, amended, suspended or repealed, at any time, except by the votes of two-thirds of the members of the city council present and voting thereon.

Report accepted; rules adopted and ordered printed as a city document.

MINORS' LICENSES.

President COLLINS submitted reports recommending that minors' licenses be granted to thirty-eight newsboys, two bootblacks and three vendors.

Licenses were granted on the usual conditions.

INDORSEMENT OF CHARTER.

Coun. KENNY offered the following:

Resolved, In our opinion the new city charter has worked well during the past year. We believe it is entitled to a fair trial and we oppose any change by the Legislature this year; and be it

Ordered, That the Committee of the City Council on Legislative Matters be directed to appear before the Committee on Metropolitan Affairs of the Massachusetts Legislature in support of the above resolution.

Referred to the Executive Committee.

PAYMENT OF BILLS.

Coun. BALLANTYNE offered an order—That the City Auditor be authorized to allow for payment four bills of the Post Publishing Company, amounting to eighteen and 45-100 dollars, incurred by the Clerk of Committees for advertising hearings before the Board of Aldermen or City Council during the years 1907, 1909 and 1910 in the Boston *Post*, and that the President of the City Council be requested to approve said bills, which are hereby charged to the appropriation for City Council, Incidental Expenses.

Passed.

EXPENDITURE OF PARKMAN FUND.

President COLLINS offered an order—That a committee of five be appointed by the President of the City Council to prepare a program for the expenditure of the income of the Parkman Fund for the year 1911.

Passed.

PAYMENT OF PETTY BILLS.

President COLLINS offered an order—That there be allowed and paid to W. E. Swan, clerk in the Sewer and Water Division, Water Service, Public Works Department, the sum of $500 to be used for payment of freight and incidental bills incurred in said division from time to time during the financial year ending January 31, 1912, and to be accounted for to the City Auditor by vouchers; said amount to be charged to the appropriation for Water Service.

Referred to the Executive Committee.

EXECUTIVE COMMITTEE CHAIRMAN.

President COLLINS appointed Coun. ATTRIDGE as temporary chairman of the Executive Committee.

RECESS TAKEN.

The Council voted at 3.33 p. m., on motion of Coun. ATTRIDGE, to take a recess subject to the call of the President.

The members of the Council reassembled in the Council Chamber and were called to order by the President at 5.38 p. m.

CITY BUILDING EXHIBITION.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1911.

To the City Council:

A Greater Boston Real Estate and Ideal Homes Exposition will be held in Horticultural Hall from April 3 to 15, inclusive, under the patronage of the Real Estate Exchange and Auction Board. The purpose of this exposition is to illustrate and stimulate real estate development throughout the city and the metropolitan district. It has been suggested that the municipality ought to be represented by views of public buildings or civic centers, which certainly contribute largely to the development of the city as a whole. In my judgment such an exhibition, on a modest scale, would be extremely desirable and I recommend the passage of the accompanying order, appropriating the sum of two hundred and fifty dollars ($250), to be expended under the direction of the Mayor for a display of views of the proposed City Hall Annex and other public buildings at this exposition.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That the sum of two hundred and fifty dollars ($250) be, and hereby is, appropriated to be expended under the direction of the Mayor for an exhibit of views of public buildings at the Greater Boston Real Estate and Ideal Homes Exposition.

The order was passed, yeas 7, nays 0.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Reports on petitions (severally referred to-day) for permits for children under fifteen years of age to appear at various places of amusement—that permits be granted, viz.:

Joseph V. Tracy, for children to appear at Parish School Hall, March 17.

Isabel Florence, for children to appear at Huntington Chambers Hall, March 29.

A. M. Gardner, for children to appear at Mechanics Building, April 22 to May 20.

Reports severally accepted; permits granted on the usual conditions.

(2) Report on order (referred to-day) that there be allowed and paid to W. E. Swan, clerk in Sewer and Water Division, Public Works Department, the sum of $500 for payment of incidental bills—that the order ought to pass.

Report accepted; order passed.

(3) Report on resolve and order (referred to-day) that the Committee on Legislative Matters of the City Council appear before the Legislature to oppose any change in city charter—that the resolve and order ought to pass.

(Coun. BUCKLEY dissents.)

The question came on the adoption of the report.

Coun. BUCKLEY—Mr. President, I do not propose to talk all the afternoon on this, because it is getting late, hut I do wish to enter my protest against the adoption of that order. I don't think it is right and I don't think that the Council is acting fairly in passing the order. It seems to me we ought not to interfere with the business of the Legislature in that respect; we ought to let the members of the Committee on Metropolitan Affairs hear the people who go up there and argue for and against the proposed revision, and report as they see fit. There are enough men from Boston representing the city in the Legislature who know the sentiment of the people of Boston just as well as we do. We all know that in justice to the entire citizenship of Boston, the present charter is not fair. The proper method would be to have a representative in the City Council from each ward with the exception of Wards 20 and 24, which on account of their size should have two men each, and then, if necessary, elect men at large besides. The men elected at large would be a sufficient handicap, we might say, on the other men, because they would keep them within bounds. The men elected at large representing the entire city and the men elected from wards representing the particular sections that sent them. I hope that the Council will reject this order. I know that you have the votes to pass it, but I appeal to you now to reconsider what you did in Executive Committee and not pass the order. The charter has had a fair and square trial the past year, and we know that it is not fair to the entire citizenship of Boston. The claim has been made that we represent the entire city. Of course, we represent the entire city, but even though we go around to the different sections, it is not fair to say that we each know what those different sections really want. We went around last year with the Mayor to the so-called town meetings, and we heard the complaints from the people in the different sections. We heard what they asked for, and what did we give them during the past year? We did not know by reason of our visits to the different sections what they really wanted. We paid great attention to what they said; hut if they had one representative on the floor of the City Council, who could always keep in our minds what they really did want, we would know what to do in an intelligent way. The claim was made that I did not go around with the Committee on Finance during the summer or the early spring, after the so-called town meetings; but after all the time that was spent in going around to those different sections, looking at different places and asking them what improvements were wanted, what percentage of those improvements that they asked for did we give? After all, was it not a waste of time to go around when we did not seriously propose to give them what they asked? We simply went around and bluffed them, to use the common expression. We went around and listened to them, hrought ourselves before the puhlic, so that they would know us by our names and all that, but what did we give them? Ahsolutely nothing. And if we went around in that same way this year, what would we give them? I hope the City Council this year will at least be better than last year in the way of improvements for the different sections of the city and will treat each section fairly, as it should be treated. I hope, in closing, that my friend from South Boston will agree to withdraw the resolutions. I ask him to do so, and I hope they will not pass the Council.

Coun. KENNY—Mr. President, I am afraid that the member from Charlestown is hardly serious.

Coun. BUCKLEY—I am serious, Mr. President.

Coun. KENNY—Mr. President, I, as the author of those resolutions, desire again to ask the Council to pass them. The matter has already heen discussed at considerable length this afternoon in Executive Committee, and I don't feel it necessary now to review what has taken place. I merely wish to say by way of reply to the gentleman that the Committee on Metropolitan Affairs is, of course, sitting for the purpose of hearing hoth sides. There will he advocates of changes in the charter, and those appearing against changes in the charter. We merely offer this as a contribution from this Council by way of assistance to that committee. It is properly a matter that we should pass upon ourselves. We are the representatives of the people of the city, sitting as the City Council. We have heen here one year. In our opinion the charter has not had a fair trial, and there should certainly be no effort made to tinker with it at this time. We think the charter is working well, that it has meant a great improvement in the government of this city, that we are at the present time experiencing a very great benefit from the charter, that the conditions in Boston to-day are much superior to what they were in years past, and that that is all due to the present charter. Now, if it is doing these things for us, why should we interfere with it at the present time? It may be in the course of time, as different conditions present themselves, that some changes may seem advisable and may become desirable. When that time comes of course the Legislature in its wisdom will make the changes. But I think, speaking as a member of the Council and speaking conservatively, that all conservative men will agree that at the present time there ought not to be any tinkering with the charter. It should be allowed to run for another year at least, before further amendments are considered. I sincerely hope the resolutions will be adopted by the Council. I don't think it is necessary to go into what my friend has said about the visits to different sections—which he, by the way, did not make, but which other members did make. I can say, as one member of the Council, that I experienced very much assistance and help from going ahout the city as we did last year, and studying the conditions. I feel that I am much better prepared to-day to deal with the questions as they arise than I was a year ago, owing to my experience and owing to the time I gave to the examinations and inspections we made a year ago. I do not desire to take the time of the Council further in this matter, other than to say again that I hope the resolution and order will be adopted.

Coun. BUCKLEY—Mr. Chairman, I shall speak but a minute at this time. I would like to ask the gentleman one or two questions. One is this,—if he feels so much hetter ahle to deal with the questions which will come up before the body, why was he not willing the past year to take up these questions of local improvements in the different sections of the city, which he opposed at all times during the year?

Coun. KENNY—Mr. President, if the gentleman had studied into the financial questions and conditions of this city he would not ask that question. He would know why this city has not heen ahle in the past year to make appropriations. He would know that the borrowing capacity of the city from time to time was in such a condition that there might be heavy drafts made upon it for the purpose of making general improvements. He would know that the government at Washington held a mandate over the City Council for the construction of bridges across the Mystic river. He would know that, in accordance with a custom that has always been in vogue and that I hope always will he in vogue, there was a half million dollars held in reserve to provide against conflagrations or any emergencies in the way of epidemics or otherwise that might arisc. He would know, if he had studied the question, that we did not have the money last year. I am perfectly willing, when we can properly do so, to spend the money of the city fairly, properly and equitably, having in view the interests of the entire city. I hold myself to be a servant of the entire city and not of any section of it, and when I see that we have the money and can spend it, I shall he very glad indeed to take up the question of local improvements that the gentleman is now talking about.

Coun. BUCKLEY—Mr. President, I have always studied the financial condition of the city and I know all ahout the national government at Washington and what it proposed to do throughout the year. But, in view of what Mr. Kenny has said, it seems strange that Mr. Hale should at the last meeting of the Council have presented orders to look into the buying of playgrounds and to consider other improvements in different sections of the city, raising the question whether it was really wise for the city to have this money on hand and not buy different properties it needs which it can now obtain at a reasonable figure. When even a member of the gentleman's own party—if I may designate Coun. Hale in that way—sees the light, and sees it in such a nice way, I hope Mr. Kenny will soon comc around to the same way of thinking and will try to see to it that we can get those pieces of property, particularly in the Dorchester and West Roxhury districts, while the valuation, which is increasing each year, is still at a reasonable figure.

Coun. KENNY—Mr. Chairman, I shall be very glad indeed to take up the suhject of the ahility of the city to spend money with the gentleman later, and, I think, to his satisfaction. But the hour is

now late. I think I can show him that he is entirely wrong in his suggestions in regard to spending money. Why, if the gentleman had his way, he would want the resources of the whole national treasury at his command and the city would be bankrupt in a short time. He reminds me a good deal of the man who went out to buy a hat and liked it so well that he bought six of them.

Coun. BUCKLEY—Mr. President, I can say now that, even if I would want the whole national treasury and the city would be bankrupt if I had my way, I am not yet bankrupt myself.

Coun. KENNY—And neither am I bankrupt, Mr. President. I don't quite understand what the gentleman means by that. I desire to ask if he makes a personal allusion. I trust that he is not doing anything so entirely improper. I ask what he means by that remark.

Coun. BUCKLEY—I have nothing more to say, Mr. President.

Coun. KENNY—I desire to say, then, that the gentleman ought to be a little more courteous to the members of this Board and not throw out insinuations. I am sure I don't know what he means by that statement, and I think he owes it now to us, to me, to explain by it. He says he is not bankrupt. Who is?

Coun. BUCKLEY—Oh, I will say that I don't mean that Coun. Kenny is bankrupt, but I mean simply this, that I know how to handle my own money personally so that I am not bankrupt, and I am not casting insinuations on any other member of the Council to the effect that he does not know how to handle his own money. I mean simply to say that a man who knows how to handle his own money can certainly be trusted to handle the affairs of other people.

Coun. SMITH—Mr. President, I certainly hope that we can come to a vote on this question. I have listened to discussion at great length by Coun. Buckley this afternoon on this resolution, and I have heard only one reason advanced why we should not pass it—and that is because he does not think the present City Council represents the City of Boston. He thinks we represent our individual sections of the city. That is his private opinion, but that is no reason for his going into personalities. He descended into personalities in executive committee by saying that my opinion on the subway was a dishonest opinion, that I expressed it dishonestly. I am perfectly willing to pass that over, I raised no question upon it at the time. It seems to me, however, that most of us here intend to represent the City of Boston as a whole. We have shown our good faith by going around to the town meetings—not only the meetings at the time of the campaign, but the meetings since—and listening to the wants of the different sections of the city. I, for one, am honestly trying to represent this whole city. I do not object to Coun. Buckley's speaking for himself, but he must realize that he is only speaking for himself and not expressing the views of the Council as a body. He says we all know that the charter has been a failure in this respect. We certainly do not all know that. He is speaking for himself there. I certainly hope that we will come to a vote without going into personalities.

The resolve and order were declared adopted. Coun. BUCKLEY doubted the vote and asked for the yeas and nays. The resolve and order were adopted, yeas 6, nay 1, Coun. BUCKLEY voting nay.

(4) Report on petition of East Boston Improvement Association and other citizens, also resolve, for indorsement of bill now before the Legislature for construction of tunnel between East Boston and city proper—recommending passage in following new draft:

Resolved, That it is the opinion of the City Council of Boston that the interests of Boston require that a tunnel for teaming and foot passengers should be constructed between East Boston and the city proper, if such tunnel is feasible.

Ordered, That the City Clerk send a copy of this resolve to the Committee on Metropolitan Affairs.

Report accepted; resolve adopted and order passed.

(5) Report on message of Mayor, communications and order (referred February 20), recommending transfer of balance of $1,314.43 from Equipment of the East Boston Relief Station and a balance of $378.72 from appropriation for Equipment of Measles Ward to appropriation for Hospital Buildings, Improvements—that the order ought not to pass.

Report accepted; order rejected.

HEARING BEFORE EXECUTIVE COMMITTEE.

Coun. BALLANTYNE—Mr. President, I move you, sir, that the records of the hearing held this afternoon before the Executive Committee, at which Commissioner of Public Works Rourke was present be printed as a city document.

Coun. Ballantyne's motion was carried.

REMOVAL OF RUBBISH.

Coun. ATTRIDGE offered an order—That a public hearing be given by the Executive Committee on the subject of the removal of rubbish, boxes, paper, straw, etc., which may accumulate from business operations from buildings, the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

GENERAL RECONSIDERATION.

Coun. BALLANTYNE moved a general reconsideration on all business, hoping that the same would not previal.

Lost.

APPOINTMENT OF COMMITTEES.

President COLLINS announced the appointment of the following committees:

Standing Committees of City Council.

Executive Committee.

All the members, Coun. Attridge, Chairman.

Appropriations.

All the members, Coun. Ballantyne, Chairman.

Finance.

All the members, Coun. Kenny, Chairman.

Ordinances.

All the members, Coun. McDonald, Chairman.

Prisons.

All the members, Coun. Smith, Chairman.

On the following committees the first named is chairman:

Legislative Matters.

Hale, Kenny, Curley, McDonald, Smith.

Claims.

Buckley, McDonald, Hale, Attridge, Smith.

County Accounts.

Curley, Attridge, Kenny.

Public Lands.

Smith, Ballantyne, Buckley.

Soldiers' Relief.

Hale, Buckley, Curley.

Printing.

McDonald, Ballantyne, Hale.

Rules.

Ballantyne, Attridge, Collins.

Adjourned at 6.11 p. m., on motion of Coun. KENNY, to meet on Monday, March 13, at four o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 13, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at four o'clock p. m., President COLLINS in the chair. Absent—Coun. Curley, Hale and Smith.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894 (the Mayor being present), viz.:

Thirty-five traverse jurors, Superior Civil Court, First Session, April Sitting, to appear April 3, 1911:

Fritiof Rythen, Ward 12; Patrick Manley, Ward 5; George F. Murphy, Ward 20; Herbert W. Homans, Ward 23; Hermann W. F. De Witt, Ward 1; Orren C. Poole, Ward 23; Louis Joseph, Ward 20; Herbert E. Smith, Ward 22; Hugh Somers, Ward 8; Jeremiah H. O'Brien, Ward 9; Albert H. Hunt, Ward 20; Charles R. Fuller, Ward 17; Charles H. Warren, Ward 23; William F. Slattery, Ward 20; Emery J. Davis, Ward 1; Horace C. Berry, Ward 12; Francis L. Carey, Ward 17; John H. Giblin, Ward 15; James Reid, Ward 20; Francis A. Murphy, Ward 1; John M. Riordan, Ward 25; Isaac E. Zetterman, Ward 25; John McMannamna, Ward 16; William M. Mason, Ward 4; John Hart, Ward 1; Fred B. Farwell, Ward 1; George H. Stevens, Ward 23; Peter McInnis, Ward 3; Joseph Bailey, Ward 20; George W. Erickson, Ward 23; John Berle, Ward 15; Thomas J. Murphy, Ward 15; John H. Walsh, Ward 1; William S. Foster, Ward 10; James J. Graham, Ward 16.

Thirty-five traverse jurors, Superior Civil Court, Second Session, April Sitting, to appear April 3, 1911:

Henry C. Turner, Ward 11; Joseph F. Purcell, Ward 15; Samuel E. Amadon, Ward 20; John J. W. Williams, Ward 18; Wallace C. Williams, Ward 12; Charles L. McIntire, Ward 20; Frank R. Halloran, Ward 23; Frank L. Kelley, Ward 15; William C. Clifford, Ward 25; Charles S. Farquhar, Ward 25; Joseph A. Solari, Ward 6; Joseph I. Cahn, Ward 21; Walter W. Knight, Ward 20; Harry W. Moss, Ward 23; John B. Aicardi, Ward 14; Bernard Farber, Ward 9; William F. P. Burgstahler, Ward 19; Addison M. Reeves, Ward 9; William W. Grant, Ward 16; William B. Crocker, Ward 20; James J. Masterson, Ward 12; Albert R. Dixon, Ward 19; Elmer E. Staples, Ward 10; Max Goldberg, Ward 11; Hugh Gallagher, Ward 17; Nils J. Kleist, Ward 18; Max P. Myers, Ward 22; Henry L. Hoey, Ward 24; Harris Moskovitz, Ward 8; John A. Brooks, Ward 1; George L. Rowell, Ward 21; John H. Morris, Jr., Ward 2; Walter W. Wheeler, Ward 20; Adam Klopot, Ward 21; George A. Neville, Ward 4.

Thirty-five traverse jurors, Superior Civil Court, Third Session, April Sitting, to appear April 3, 1911:

Thomas J. Kenney, Ward 19; Joseph A. McMahon, Ward 24; George W. Horne, Ward 22; James A. Tracy, Ward 14; Gaetano Palladino, Ward 6; Henry A. Swanton, Ward 21; Frank S. Jackson, Ward 24; Lynch Luquer, Ward 11; John E. Sears, Ward 2; George E. Mason, Ward 25; Charles Hogg, Ward 10; William P. Hickey, Ward 14; John J. Glynn, Ward 24; Simon A. Ryan, Ward 23; John Joseph Waul, Ward 18; Abraham Greenberg, Ward 2; John Kearins, Ward 13; Daniel McElhinney, Ward 11; Edward McManus, Ward 22; William F. Currier, Ward 10; John J. Wighton, Ward 25; John S. Baxter, Ward 22; Andrew J. Granara, Ward 6; Thomas A. Fox, Ward 11; Nathan Winstanley, Ward 25; Chauncey C. Morris, Ward 20; Otis K. Luscomb, Ward 25; Clarence E. N. Lancaster, Ward 19; Howard Whitcomb, Ward 19; William H. Gillen, Ward 13; Thomas F. Cunningham, Ward 23; John H. Morris, Ward 23; Royal P. Bott, Ward 21; John S. Mullaly, Ward 17; John G. King, Ward 20.

Thirty-five traverse jurors, Superior Civil Court, Fourth Session, April Sitting, to appear April 3, 1911:

John L. Collins, Ward 20; James E. Crane, Ward 15; George H. Sloan, Ward 13; David I. Sunderland, Ward 16; Patrick M. Ahern, Ward 20; George E. Myers, Ward 12; John Fall, Ward 20; Edmund Stein, Ward 12; Arthur J. Bennett, Ward 21; Pius S. Murphy, Ward 14; Thomas J. Nixon, Ward 5; James Murphy, Ward 20; Gustavus F. Alden, Ward 17; James Hickey, Ward 2; Ignatius C. Plagemann, Ward 21; Peter Burke, Ward 22; James S. Jones, Ward 21; George E. Finn, Ward 5; John Loraway, Ward 25; Thomas F. Reynolds, Ward 4; Joseph H. Cummisky, Ward 20; William H. Smith, Ward 11; Louis A. Hudson, Ward 21; Thomas Westerman, Ward 2; William J. Wherty, Ward 20; Joseph A. Waible, Ward 19; Samuel Carr, Ward 11; Frank Burns, Ward 14; Thomas F. Quinlan, Ward 23; Irving P. Gammon, Ward 21; John Hawley Lee, Ward 10; Maurice Murnane, Ward 1; Winfield S. Guthrie, Ward 15; Wilhelm Emil Graf, Ward 19; William A. Clark, Ward 25.

Thirty-five traverse jurors, Superior Civil Court, Fifth Session, April Sitting, to appear April 3, 1911:

Patrick T. Shea, Ward 25; Charles F. Bruce, Ward 23; Frederick E. Marshall, Ward 16; Edward Murphy, Ward 1; Edward F. Dalzell, Ward 7; Edwin R. Brackett, Ward 20; James E. Morton, Ward 2; August Zimmer, Ward 21; James H. Sullivan, Ward 25; Frank A. Mahoney, Ward 15; John Collins, Ward 19; Henry C. Anderson, Ward 23; John J. Sullivan, Ward 20; John J. Warren, Ward 19; George E. Follansbee, Ward 24; Leo F. Ryder, Ward 14; Benjamin G. Cheney, Ward 24; Daniel P. Sheehan, Ward 22; Peter Breen, Ward 2; David M. Eldridge, Ward 23; George Stockinger, Ward 22; Jeremiah J. McCarthy, Ward 12; Edward J. McKee, Ward 14; Joseph Griffin, Ward 21; Robert J. Ramsey, Ward 17; Thomas S. Bodden, Ward 3; Henry R. Noble, Ward 20; John D. Stiles, Ward 25; John A. Connolly, Ward 20; Frederick Hammell, Ward 20; George B. Crane, Ward 24; F. Clarence MacDougall, Ward 21; Aubin J. Horton, Ward 20; Robert A. Whyte, Ward 21; Allen Smith, Ward 15.

Thirty-five traverse jurors, Superior Civil Court, Sixth Session, April Sitting, to appear April 3, 1911:

Peter J. O'Connor, Ward 13; Francis J. Wellings, Ward 2; William J. Lloyd, Ward 13; Joseph W. Cowles, Ward 22; John F. Murphy, Ward 21; Richard Roulston, Ward 13; James Collins, Ward 24; William G. Boyden, Ward 11; Walter E. Wood, Ward 24; John H. McCulpha, Ward 1; George Henry Allen, Ward 14; Walter C. Abbott, Ward 25; Arthur K. Simpson, Ward 10; Ernest J. W. Burnett, Ward 8; Thomas Quigley, Ward 5; Neils Anderson, Ward 16; Charles L. Schleicher, Ward 16; Willis M. Stevens, Ward 9; Edwin D. Gurney, Ward 1; Valentine Needham, Ward 1; Frank A. Johnson, Ward 16; Alonzo Kennedy, Ward 6; James O'Mara, Ward 15; James H. Norris, Ward 12; Charles A. Fogg, Ward 16; George H. Moore, Ward 5; Edson S. Hawes, Ward 12; Henry Andrews, Ward 10; William H. Wood, Ward 24; Harry F. Taylor, Ward 23; Henry H. Webb, Ward 11; George N. Hatch, Ward 10; William H. Cuddyer, Ward 13; Irving H. Sands, Ward 24; Edward C. Smith, Ward 9.

MINUTEMEN'S FIFTIETH ANNIVERSARY.

The following was received:

City of Boston,
Office of the Mayor, March 13, 1911.

To the City Council:

I beg to transmit the accompanying letter from the commander of the Massachusetts Association Minutemen of '61, requesting an appropriation of five hundred dollars ($500) for the celebration of the fiftieth anniversary of the Minutemen of Massachusetts. The survivors of this immortal band, who responded to the first call of President Lincoln and rushed to the defence of the capital of the country, richly deserve that their petition should be favorably heard and I trust that there will be no hesitation on the part of your honorable

ALLIED PRINTING TRADES UNION LABEL COUNCIL

body in granting them the moderate sum for which they ask. I inclose a draft of an order which I trust will be passed by your honorable body without delay.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

Dear Sir,—The undersigned respectfully petition for an appropriation of $500 for the celebration of the fiftieth anniversary of the Minutemen of Massachusetts, troops who responded to the first call of President Abraham Lincoln in defence of the capital of the United States, April 15, 1861.

Yours respectfully,
MASSACHUSETTS ASSOCIATION OF MINUTEMEN '61,
by JOHN H. NORTON, Commander.

Ordered, That to meet the expense of the celebration of the fiftieth anniversary of the Minutemen of Massaehusetts on April 15, 1911, the sum of five hundred dollars ($500) be appropriated, to be added to the appropriation for Mayor's Office, Public Celebrations, when made.

Referred to the Executive Committee.

CARE OF PUBLIC RECORDS.

The following was received:

City of Boston,
Office of the Mayor, March 13, 1911.

To the City Council:

I transmit herewith a communication from the Commissioner of Public Records of the Commonwealth of Massachusetts, pointing out the insufficient protection afforded in the present City Hall and other buildings owned or occupied by city departments for certain valuable public records. It seems to me that the danger which the commissioner points out to exist offers an additional reason for action by your honorable body upon the order recommended by me at your meeting of February 4, 1911, appropriating the sum of eight hundred thousand dollars ($800,000) for the erection of an annex to City Hall on the present site of the Old Court House. The plans of the proposed building could be so prepared as to include ample vaults or storage rooms for the records of the various departments designated in the commissioner's letter.

Respectfully,
JOHN F. FITZGERALD, Mayor.

March 10, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—In view of the action which your Honor is taking to get a modern, fireproof building for offices and the valuable public records of the City of Boston, I have, in company with the Superintendent of Public Buildings, made a complete investigation regarding all such records in the various city departments. It is my duty, under section 3 of chapter 35, Revised Laws, to call the attention of the honorable City Council, through your Honor, to sections 5, 18 and 19 of that chapter, and to the following conditions which are in violation thereof, pointing out that section 22 provides a maximum penalty of five hundred dollars for each violation, and a further penalty of twenty dollars upon each member of the honorable Council for each month of refusal or neglect to comply with the statutes, which I am obliged to take the necessary measures to enforce.

CITY HALL.

ASSESSING.
No protection for current books and records except a closet with lining and door of asbestos.

AUDITING.
Many records are in a room furnished and fitted with combustible materials. The basement vault has no double doors to protect it.

CITY CLERK.
A brick closet with but a single iron door and combustible fittings, for early records, and all other records and files are in thin metal cases in combustible rooms.

CLERK OF COMMITTEES.
A brick closet fitted with combustible shelves, and but a single iron door, for all records.

COLLECTING.
Many records not protected against fire. One vault in the basement has some combustible fittings and a window without fire shutters, and another vault there has combustible fittings and no double doors.

PUBLIC WORKS.
No fireproof protection whatever for any records or plans of any of the divisions.

TREASURY.
The office vault has combustible fittings, and the upper vault also has combustible fittings and no double doors.

OLD COURT HOUSE.

BUILDING.
A storage room in the basement, fitted with combustible materials, for some plans, but there is no protection for any other plans and the record books.

ELECTION.
Many records are in combustible rooms without protection. The basement vault has combustible fittings, and the two-story vault has combustible floor and some combustible fittings.

HEALTH.
No fireproof protection for any records in the office, or at the Bacteriological or Milk Inspection laboratories.

PUBLIC BUILDINGS.
No fireproof protection for any records or plans in the office, and the storeroom for early plans has combustible door and fittings.

REGISTRY.
The office records are in wooden cases in a combustible room. The storage room has a window without fire shutters, and is fitted with combustible materials, and the vault and basement closet also are fitted with combustible materials.

STREET LAYING-OUT.
No fireproof protection for any records or plans in the various offices, and the two safes at City Hall would probably not stand much fire.

WEIGHTS AND MEASURES.
No fireproof protection for any records.

OLD PROBATE BUILDING.

BOSTON INFIRMARY.
The old safe is probably not fireproof, and other records are not protected against fire.

CHILDREN'S INSTITUTIONS.
The safe is too small for anything except current financial records, and early financial and all other records are without protection.

INSTITUTIONS REGISTRATION.
No fireproof protection for any records.

PENAL INSTITUTIONS.
The two safes are not sufficient for all records and many are not protected.

OUTLYING OFFICES.

ART. (Tremont Building.)
A metal lined closet, not fireproof, for all records, drawings, etc.

BOSTON TRANSIT COMMISSION. (Beacon Street.)
One vault has fittings of combustible materials.

CEMETERY. (Tremont Building.)
Many records not protected against fire.

FIRE. (Bristol Street.)
All returns and record books of fires not in fireproof protection.

HOSPITAL. (City Hospital.)
No fireproof protection for the current records of the trustees or for any of the financial or clinical records. The vault for early records of patients, in the basement, is fitted with combustible materials. The clinical records at the South Department, and at the Haymarket square and East Boston stations, are not protected against fire.

LICENSING BOARD. (Pemberton Square.)
The two vaults are fitted with combustible materials, and there are many records in wooden and thin metal cases in combustible rooms.

OVERSEEING OF POOR. (Hawkins Street.)
The vault in the general office is fitted with combustible materials, and the large vault in the basement has a window and ventilator without fire shutters to them. The old safe at Chardon Street Home is not fireproof, and many records of the home are not protected against fire.

PARK. (Jamaica Plain.)
The vault is fitted with combustible materials, as is also the vault at the Franklin Park office, which is too small to hold all the plans there.

POLICE. (Pemberton Square.)
The five vaults are fitted with combustible materials, and many records are kept in wooden cases in a combustible room.

PRINTING. (Causeway Street.)
A large closet with wooden partitions, fittings and door; has some older records stored in it.

PUBLIC GROUNDS. (Dorchester.)
The safe is not sufficient to hold all the records, and another safe is needed.

SCHOOL COMMITTEE. (Mason Street.)
The two old safes are not fireproof, and many records are not in any kind of protection.

SCHOOLHOUSE COMMISSION. (Walker Building.)
The vault is only large enough for the later records and plans, and all the earlier records and plans have no protection against fire.

SOLDIERS' RELIEF. (Hawkins Street.)
The small safe contains only a few records, and most of the records are not protected against fire.

VESSELS AND BALLAST. (Commercial Street.)
No safe provided for any records. The records of previous weighers are missing.

WIRE. (Wareham Street.)
No protection for any records, which are all kept in combustible quarters.

It is estimated that the expense of reproducing such record books and plans as would be possible and necessary, in case of loss by fire, in merely the four departments of Assessing, Building, Public Works and Street Laying-Out would aggregate considerably over a million of dollars, and the probable expense of the litigation which would follow such loss would be beyond estimate.

Trusting that the honorable City Council will forthwith take action in the matter, as required by law, I am,

Very truly yours,
HENRY E. WOONS,
Commissioner.

Placed on file.

RELEASE OF PARK RESTRICTIONS.

The following was received:

City of Boston,
Office of the Mayor, March 13, 1911.

To the City Council:

I beg to transmit a communication from the chairman of the Board of Park Commissioners, under date of February 15, 1911, together with an order drafted by that Board. The proposed order, if passed, would permit the erection on a lot of land at the corner of South street and Arborway of apartment houses to cost not less than $3,000 per suite of apartments, with store privileges on the South street front. The present minimum cost of these houses per suite, I am informed, is $4,000, and the proposed order would alter to this extent the character of the neighborhood.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Board of Commissioners of the
Department of Parks,
February 15, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston:

Dear Sir,—The Board has voted to amend the restrictions on the lot of land at the corner of South street and Arborway, belonging to Bartholomew H. Couig, so as to permit the erection on this lot of apartment houses to cost not less than $3,000 per suite of apartments, with store privileges on the South street front.

In order to make this change it is necessary that an order be passed by the City Council, and we inclose a copy of the order that we submitted to you for this purpose in 1906.

Yours respectfully,
ROBERT S. PEABODY, Chairman.

—

Ordered, That the Board of Park Commissioners, with the approval of the Mayor, and by an instrument or instruments satisfactory to the Law Department, may, in the name and behalf of the city, alter and amend the restrictions contained in deeds heretofore given to the city by Henry F. Naphen and James A. Page, trustees, and Samuel Bradstreet and Augustus B. Bradstreet of lots on either side of South street, bordering the Arborway, so as to permit of the erection on these lots of apartment houses to cost not less than $3,000 per suite of apartments, with store privileges on the South street front.

Referred to the Committee on Public Lands.

Later in the session the Council voted, on motion of Coun. McDONALD, to reconsider the reference to the Committee on Public Lands.

The message, communication and order were referred to the Executive Committee, on motion of Coun. McDONALD.

EXAMINATION OF APPROPRIATION BILL.

The following was received:

City of Boston,
Office of the Mayor, March 13, 1911.

To the City Council:

I am returning herewith an order passed by your honorable body at its meeting of February 27, "that the Finance Commission be requested, through his Honor the Mayor, to examine the appropriation bill as submitted to the City Council and report its findings forthwith; also that the Finance Commission be requested to have one of its representatives present at the meetings of the Committee on Appropriations, when appointed, to discuss the various items in the bill as submitted."

This legislation seems to me entirely unnecessary as the Finance Commission, under section 18 of chapter 486 of the Acts of 1909, has the right "to investigate any and all matters relating to appropriations, loans, expenditures, accounts and methods of administration for the City of Boston, or the County of Suffolk, or any department thereof that may appear to the commission to require investigation, and to report thereon from time to time to the Mayor, the City Council, the Governor, or the General Court." Should the Committee on Appropriations, when appointed, desire the presence of a representative of the Finance Commission it would seem to be entirely proper to send an invitation directly to that body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

Coun. KENNY—Mr. President, it occurs to me that that communication should be referred to the Committee on Appropriations. I move reconsideration of the vote placing the same on file.

The Council voted to reconsider.

Referred to the Committee on Appropriations, on motion of Coun. KENNY.

SEWERAGE WORKS.

The following was received:

City of Boston,
Office of the Mayor, March 13, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order, providing that the sum of three hundred thousand dollars ($300,000) be appropriated for the construction of sewerage works.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That the sum of three hundred thousand dollars be appropriated for the construction of sewerage works, under the provisions of chapter 426 of the Acts of 1897 and chapter 204 of the Acts of 1908, and that to meet the said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds of the city to said amount.

Referred to the Committee on Finance,

APPROPRIATION FOR HIGHWAYS.

The following was received:

City of Boston,
Office of the Mayor, March 13, 1911.

To the City Council:

I transmit herewith a draft of an order making an appropriation for highways, making of, which I recommend for passage by your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That the sum of three hundred thousand dollars ($300,000) be appropriated for highways, making of, under the provisions of chapter 393 of the Acts of 1906, and that to meet said appropriation the City Treasurer be authorized to issue from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

FEES FOR PERMITS.

The following was received:

City of Boston,
Office of the Mayor, March 13, 1911.

To the City Council:

In a letter addressed to your honorable body under date of November 6, 1910, I suggested that in my opinion the adoption of a reasonable schedule of fees for permits for the construction or use of coal holes, vaults, bay windows and marquises in, under, or over the public ways was urgently required for the convenience of the public. This question has been before the City Council for more than a year and while two schedules have been submitted none has been adopted. The fact that the Finance Commission has had the problem under consideration since November 29, 1910, taken together with the failure of your body to arrive at any decision, seems to show that there are intrinsic difficulties in framing a measure which shall be fair to property owners while assuring a reasonable return to the city, but the difficulties are certainly not insurmountable and the present unsatisfactory status should not be allowed to continue indefinitely. I venture to recommend that the Committee on Ordinances address itself at an early date to this problem.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Referred to the Committee on Ordinances.

HALF HOLIDAYS, CEMETERY EMPLOYEES.

The following was received:

City of Boston,
Office of the Mayor, March 13, 1911.

To the City Council:

I beg to return an order of the City Council relating to half holidays for employees of the Cemetery Department, referred by your honorable body to the Board of Cemetery Trustees for their report and recommendation, together with a letter from the chairman of that Board, expressing the inability of the Cemetery Trustees to comply literally with the terms of this order as far as it relates to all employees of the department and their intention to put it into effect at once for certain employees, if passed by your honorable body.

Respectfully,
John F. FITZGERALD, Mayor.

City of Boston,
Cemetery Department, March 13, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—I beg to acknowledge receipt of the following order of the City Council, referred to this Board of Trustees for report and recommendation:

February 27, 1911.

Ordered, That, under the provisions of chapter 587 of the Acts of 1908, the Cemetery Trustees be hereby authorized to allow half holidays on Saturdays to all employees of the Cemetery Department, without loss of pay, during the present financial year.

On account of necessary work which must be performed every day in the year in the cemeteries it would be impossible to comply with the order to grant all employees a Saturday half holiday. You are hereby advised that upon receipt of such an order the trustees of this department can put the same into effect at once, with the understanding that it shall apply to employees whose services can be dispensed with.

Yours respectfully,
CHARLES E. PHIPPS,
Chairman of the Board of Trustees of the Cemetery Department.

Referred to the Executive Committee.

EXHIBIT AT EXPOSITION.

The following was received:

City of Boston,
Office of the Mayor, March 10, 1911.

To the City Council:

I return herewith, without my signature, an order passed by your honorable body at its meeting of March 6, 1911, appropriating the sum of two hundred and fifty dollars ($250) for an exhibit of views of public buildings at the Greater Boston Real Estate and Ideal Homes Exposition. Some technical objection has been raised to the form of this order and it seems to me desirable that it should not only be correct in form but that the amount should be slightly increased, as I am informed that the sum appropriated provides only for the rental of the booth and there will be additional expenses incurred in the preparation of the exhibit.

I recommend, therefore, the passage of the accompanying order in place of the order returned herewith.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That to meet the expenses of a special exhibition of views of public buildings at the Greater Boston Real Estate and Ideal Homes Exposition, the sum of four hundred dollars ($400) be, and hereby is, authorized to be expended under the direction of the Superintendent of Public Buildings for said exhibition and to be charged to the appropriation for Reserve Fund, when made.

Referred to the Executive Committee.

MONEY SPENT ON CHARLESBANK.

City of Boston,
Office of the Mayor, March 10, 1911.

To the City Council:

I beg to transmit a statement from the chairman of the Board of Park Commissioners, in reply to your order passed at the meeting of February 27, requesting the said Board "to submit to the City Council a detailed statement as to the money spent on the Charlesbank from the Parkman Fund, under the order of the City Council of 1910 appropriating $20,000 for that purpose."

Respectfully,
JOHN F. FITZGERALD, Mayor.

Board of Commissioners of the
Department of Parks,
March 7, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston, Mass.:

Dear Sir,—Inclosed herewith is the copy of the order of the City Council of February 27 relating to Charlesbank, referred to our office by your office. This order reads as follows:

"Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to submit to the City Council a detailed statement as to money spent on the Charlesbank from the Parkman Fund, under the order of the City Council of 1910 appropriating $20,000 for that purpose."

In answer thereto I would say that there has been expended to date:

For the installation of the irrigation plant,	$799 39
For two fountains	254 00
	$1,053 39

In addition to this, the material for a line of seats along the whole length of the promenade and returning on both sides of the crosswalks to Charles street have been got ready for setting up in the spring.

A contract is about to be made for a fence on Charles street, which with the setting up will cost $2,500.

A contract was made last fall for a granolithic pavement for the promenade on the Charles street side, at a cost of $6,912. It heing late in the season hefore the contract was made, the construction was deferred until spring. The work will he commenced about the middle of April.

A contract for repairing the brick sidewalk on Charles street was also made at the same time on the same terms, to he commenced in the spring, for $756, making a total for contracts made, work to be entered upon in the spring, of $10,168. We expended last year for fountains and irrigation $1,053, a total of $11,221.

Yours truly,
ROBERT S PEABODY, Chairman.

Placed on file.

APPROPRIATION FOR INFIRMARY BOAT.

The following was received:

City of Boston,
Office of the Mayor, March 10, 1911.

To the City Council:

In a message to your honorable body, dated Septemher 12, 1910, I recommended a transfer of the sum of twenty-five hundred dollars ($2,500) from the Reserve Fund to the appropriation for Boston Infirmary Department, New Boat, in order that the fire extinguishing apparatus upon the steamer "George A. Hihhard" might he made more perfect. The accompanying order was referred to the Executive Committee, which, on January 2, 1911, reported that no action was necessary. The report of the committee was accepted hy your honorahle hody, hut the chairman of the Board of Infirmary Trustees now reports, in a letter appended hereto, that the need still exists for this additional appropriation. I recommend that in the appropriation hill a sum of twenty-five hundred dollars ($2,500) be added to the special appropriation for Boston Infirmary Department, New Boat.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Boston Infirmary Department,
March 7, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston, Mass.:

Dear Sir,—Inclosed please find copy of our letter of August 29 last, together with copy of your letter of August 31 in response to same, in regard to an additional appropriation for the new hoat for this department, made necessary hy a change in the type of fire pump.

The amount requested, $2,500, has not as yet been appropriated, the order having heen referred to the Executive Committee of the City Council on Septemher 12. As I wrote you on Fehruary 7, the money is ahsolutely necessary, and I would respectfully request that the matter he given attention at the earliest possihle moment.

Very respectfully,
E. M. GALLAGHER, Chairman.

—

City of Boston,
Boston Infirmary Department,
August 29, 1910.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston, Mass.:

Dear Sir,—The Boston Infirmary Trustees would respectfully request that an additional appropriation in the sum of $2,500 he allowed this department for the new hoat now being huilt hy the George Lawley & Son Corporation, increasing the amount of same from $35,000 to $37,500.

The huilders have recommended a different type of fire pump with 50 per cent greater capacity—a 750 gallon turbine-driven centrifugal pump—in place of the duplex pump named in the specifications. This suggestion meets with the approval of Mr. Carl H. Clark, engineer on the work, and of Mr. Louis K. Rourke, Acting City Engineer, both of whom recommend the change.

The exact amount of the increase in cost has not as yet heen determined, hut the amount requested, $2,500, will be sufficient to meet the expense with a small margin for any unforeseen expenditure that may be necessary, additional fire hose, etc.

Trusting that this request may meet with your favorahle consideration.

Very respectfully,
E. M. GALLAGHER, Chairman.

City of Boston,
Office of the Mayor, August 31, 1910.

Mr. Edward M. Gallagher,
Chairman Boston Infirmary Department,
28 Court Square, Room 8:

Dear Sir,—Your communication of August 29, requesting that an additional appropriation of $2,500 he allowed the Boston Infirmary Department for the new hoat, which is now in process of construction hy the George Lawley & Son Corporation, is herehy acknowledged, and I beg to inform you that I will recommend the transfer of this amount from the Reserve Fund at the next meeting of the City Council.

Yours very truly,
JOHN F. FITZGERALD, Mayor.

Referred to Committee on Appropriations.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Anna M. Collins, for a hearing on her claim on account of injuries received August 23, 1909.

Ellen A. Burns, for compensation for damage at 166 Bellevue street hy stopping up of sewer.

J. A. Colmes, to be paid for clothing damaged while putting out a fire on the Oakland Street Bridge.

McCarthy & Walsh, to be paid for extra expense of carrying out contract made with the city.

Executive.

Petitions for permits for children under fifteen years of age to appear at various places of amusement, viz.:

Adelina and Jennie Lewis, for children to appear at Bethesda Hall on the evening of April 27.

Rev. T. F. White, for children to appear at St. Mary's Hall on March 13, 20 and 27.

Rev. J. S. McKone, for children to appear at St. Anne's Parochial School on March 17.

CONSTABLE'S BOND.

After having duly approved of the same, the City Treasurer submitted the constable's bond of Thomas H. Staples.

Approved hy the Council.

COAL AND COKE LICENSE.

A copy of coal and coke license granted hy the Secretary of the Commonwealth was received.

Placed on file.

RAILROAD POLICE.

Notice was received from the Police Commissioner of the appointment of Patrick W. McGovern hy the New York, New Haven & Hartford Railroad Company as railroad police officer, and of his approval of the same.

Notice was received from the New York, New Haven & Hartford Railroad Company that Charles Goodacre is no longer employed as a police officer.

Placed on file.

KEEPING OF EXPLOSIVES.

Notice was received of the keeping of gasolene at the hereinafter named premises, and of intention to keep same for ensuing year, viz.:

Herhert L. Purdy, 20 Holhorn street, Ward 21.

Harold L. Bond Company, 383 Atlantic avenue, Ward 7.

Placed on file.

APPROVAL OF PLANS.

Notice was received from the Railroad Commissioners of approval of plans of Boston Elevated Railway Company for proposed elevated structure hetween Causeway street, Boston, and Lechmere square, Camhridge.

Placed on file.

NOTICE OF ORDERS.

Copies of orders were received from the Street Commissioners, as follows:

Order granting West End Street Railway Company alteration of location on Harvard avenue, Allston, 344th location.

Order granting permission to Edison Electric Illuminating Company of Boston to acquire one pole on Bennington street.

Order granting permission to New England Telephone and Telegraph Company to erect poles on Arden street, Ward 25.

Order granting permission to same company to attach wires to poles on D street, Ward 15.

Order granting permission to same company to erect pole on Addison street, Ward 1.

Order granting permission to same company for extension of time to erect poles on Bayard street, Ward 25.

Order granting permission to same company to attach wires to poles on Atkinson street.

Order granting permission to same company to erect pole on Faneuil street, Ward 25.

Order granting permission to same company to attach wires to pole on C street.

Placed on file.

RULES CONCERNING STREET TRAFFIC.

The following was received:

City of Boston,
In Board of Street Commissioners,
March 9, 1911.

Ordered, That Article 5 of the rules for the regulation of street traffic be amended by adding thereto the following sections:

Section 14. No owner or driver of an omnibus or other vehicle engaged in carrying passengers for hire and capable of carrying eight or more persons shall operate it, or permit it to be operated, in a street other than that designated by the Board of Street Commissioners.

Section 15. No person having charge of an omnibus or other vehicle capable of carrying eight or more passengers from whom fare is collected shall stop it in a street unless to take on or leave off a passenger, and then only at such places as may be designated by the Board of Street Commissioners and for such time as may be sufficient to enable the passenger to take his or her seat or to leave said omnibus or vehicle.

Ordered, That section 1 of article 8 of the rules for the regulation of street traffic be amended by adding thereto the following named streets to be one-way streets:

Avery street, easterly from Mason street.

Friend street, southeasterly from Sudbury street.

SALEM D. CHARLES,
JAMES A. GALLIVAN,
JOHN H. DUNN,
Street Commissioners.

A true copy,
Attest:
J. J. O'CALLAGHAN, Secretary.

Placed on file.

INFORMATION FROM BOSTON DISPOSAL COMPANY.

The following was received:

No. 511 Ford Building, Boston,
March 13, 1911.

To the Honorable City Council,
Boston, Mass.:

Gentlemen,—The Boston Disposal Company is now in a position to answer fully the questions contained in your order of December 12 last. The names of the officers, administrative, executive and legal, of the company are as follows:

President, Frederick H. Payne.
Vice President, William J. Carlin.
Treasurer, Edward R. Hastings.
Clerk, J. Steuart Rusk.
Counsel, Lawrence M. Stockton.

Directors.

Frederick H. Payne.	William J. Carlin.
Edward R. Hastings.	J. Steuart Rusk.
Lawrence M. Stockton.	Theodore G. Bremer.
Albion F. Bemis.	John H. Gibbs.

The stockholders of the company are as follows:

Frederick H. Payne, Brookline, Mass.	22 shares.
Edward R. Hastings, Milton, Mass.	1 share.
J. Steuart Rusk, Boston, Mass.	1 share.
William J. Carlin, Boston, Mass.	22 shares.
Albion F. Bemis, Brookline, Mass.	1 share.
Theodore G. Bremer, Brookline, Mass.	1 share.
Lawrence M. Stockton, Boston, Mass.	1 share.
John H. Gibbs, Brookline, Mass.	1 share.
	50 shares.

The authorized capital stock of the company is 5,000 shares of $100 each, of which, at the present time, fifty shares have been issued and paid for in cash.

Yours very truly,
FREDERICK H. PAYNE, President.

Referred to Executive Committee.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses for forty newsboys, four bootblacks and five vendors—recommending that permits be granted.

Permits were granted on the usual conditions.

SOLDIERS' RELIEF.

Coun. BUCKLEY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of March.

Report accepted, order passed.

MANAGERS OF OLD SOUTH ASSOCIATION.

Coun. ATTRIDGE offered an order—That Walter L. Collins and Walter Ballantyne be hereby elected as managers of the Old South Association in Boston for the present municipal year.

Passed.

STATUS OF BRIGHAM HOSPITAL.

Coun. KENNY offered an order—That a new committee be appointed by the President with respect to the Brigham Hospital wills—the committee appointed at the end of the last year not having had time to finish their work and report on same.

Passed.

NEW QUARTERS, FIREBOAT.

President COLLINS called up unfinished business, No. 1, viz.:

1. Ordered, That the sum of three thousand dollars ($3,000) additional be hereby appropriated, to be expended under the direction of the Fire Commissioner, for new quarters for fireboat, Boston side, and that to meet such appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

On February 27 the foregoing order was read once and passed, yeas 8, nays 0.

The order was read a second time and again passed, yeas 6, nays 0.

EXTENSION OF ARLINGTON STREET.

Coun. BUCKLEY offered an order—That the Boston Finance Commission be requested to make an investigation and report to the City Council on the advisability of the extension of Arlington street, from Boylston street to Providence street, at an estimated cost of $800,000.

The order was declared referred to the Executive Committee.

Coun. BUCKLEY—Mr. President, I move reconsideration of that reference. I introduced the order simply that we might have the benefit of the advice of the Finance Commission on the matter so that when we came to vote on it we might vote

in an intelligent way. They are a part of the city government of Boston and it seems to me that no harm can be done by their investigation. Therefore, I move reconsideration of the reference and hope the Council will pass the order now. I don't see what harm can be done by that action and we can thereby get the benefit of their investigation.

Reconsideration of the reference prevailed, and the order was passed.

ROPING OFF OF STREETS, ETC.

President COLLINS offered an order—That the City Messenger be authorized to cause the necessary roping off of streets or public grounds that may be required, and until otherwise ordered, the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

SIDEWALK ORDERS.

Coun. BALLANTYNE presented a petition signed by Joseph M. Kickham *et al.*, residents of Weld Hill street, asking that sidewalks be laid on said street.

In connection with the petition Coun. BALLANTYNE offered an order—That the Commissioner of Public Works make a sidewalk along Weld Hill street, between Hyde Park avenue and the cemetery, Ward 23, in front of the estates on said street, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

President COLLINS offered an order—That the Commissioner of Public Works construct a sidewalk along both sides of Maxwell street, between Capen street and Milton avenue, Ward 24, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of gravel with granite edgestone.

Passed.

PAYMENT OF OVERCHARGE.

President COLLINS offered an order—That the City Treasurer be authorized to pay to Lucy E. N. Bumpus the sum of $5.69, being the amount of an overcharge paid by her on account of a sidewalk assessment levied January 24, 1911, against her estate, next to No. 172 Harvard street, Ward 20, and charge the same to account, Public Works Department, Highway Division, Paving Service, General Revenue.

Passed.

RETIREMENT OF CITY LABORERS.

Coun. ATTRIDGE offered the following:

Whereas, A bill is now before the Massachusetts Legislature "Relative to the Retirement Fund for Laborers Employed by the City of Boston,"

Resolved, That it is the opinion of the City Council of Boston that an act providing for the retirement of aged and infirm city laborers, who shall receive an annual pension, should be placed upon the statute books of the Commonwealth.

Ordered, That a copy of this preamble and resolve be sent by the City Clerk to the Committee on Cities.

The question came on the adoption of the preamble, resolution and order.

Coun. ATTRIDGE—Mr. President, I desire at this time to say a few words in reference to this particular order. His Honor the Mayor called attention in his inaugural address last year to the need of a pension system for the city. At a meeting of the heads of departments, the Mayor and City Council, on December 5 of last year, he again called attention to the need of a pension system in our city departments. He said:

"Mr. Rourke has wrestled with the problem of inefficient service in his department, and it is a problem which has faced the Water Department. Every one of us knows that there are some hundreds of men in the employ of the City of Boston who do not give adequate service, yet nobody feels like discharging them, because it means leaving them without any income and helpless."

Again this year his Honor the Mayor called the attention of the City Council to the need of a pension system, and said that something should be done. Coun. Kenny on January 30 of this year made a statement in the City Council, with which I quite agree, stating the need of a pension system for a certain class of employees of the city, that is, the laboring class. He said, and he said it so well that I will repeat his words:

"I am heartily in favor of any legislation which provides for a pension for the laboring man. I am quite willing, as a member of this Council, to vote to further the adoption of a law which will provide a pension for the laboring man, and I trust that the Legislature will in its wisdom prepare such a bill this year."

Further he said:

"It seems to me that where a man has been earning only a living wage for a great number of years and reaches that point in life when he is unable to labor further, when he is in his declining years and the eve of his life is approaching, it is very proper that the City of Boston should consider his past faithful and loyal service because of the fact that he has been receiving only a living wage."

Coun. Kenny stated the case, and stated it well, and I agree with the sentiment that he expressed at the meeting of the Council when this Council discussed the civil pension act which was rejected in January of this year. I have reference to chapter 619 of the Acts of 1910. The Finance Commission, in a communication to the City Council in relation to the rejection of that act, under date of December 10, said:

"To the Honorable the City Council:

"Gentlemen,—There is now pending before your honorable body for acceptance or rejection an act authorizing the establishment of a retirement system for public employees, namely, chapter 619 of the Acts of 1910. The Finance Commission respectfully submits the following reasons why the act should not be accepted," and this is the statement to which I desire to call especial attention: "The Commission believes that the only retirement system which can be justified on grounds of economy is one which would relieve the city of the loss caused by the retention of day laborers who, by reason of age, have become so infirm as to be incapable of rendering in service a full equivalent for the wages they receive."

That act was rejected by the City Council of Boston, and up to January 28 of this year no city in the Commonwealth had accepted the act, and of the 321 towns in the state 304 reported that they had not accepted it. It was said when we discussed that act that the act was faulty; that it was an unworkable act; that it was not fair because of the fact that it would provide a pension for men who received more than the living wage. And I feel that that act, if amended and again presented to the City Council, will not be accepted this year. I believe the public feels that all laboring men in the employ of the cities, if they have served the city faithfully and well and have grown old in the service, should receive a pension. When the pension act of last year was under discussion and consideration in this City Council I tried to get the consensus of the popular opinion of the ordinary man in the city—the citizen and taxpayer—and public opinion as expressed to me was that the public would favor an act which would provide for the laboring man, who has served the city and served it well, a fair, just, honorable, equitable pension. This is not a matter of politics; it is a matter of municipal economy. A man who is an eminent engineer stated to me a few days ago that two years ago the City of Boston expended $35,000 for men who worked in the Sanitary Department who were not giving the city any return whatever for the money which was paid. He stated that if the City of Boston should give those men any sum less than the $2.25 a day which they were receiving as pay the city would save money—that it would be a gain to the city. Of course, these old men should not be discharged from the service of the city with nothing to keep them in their old age, their declining years. Personally I believe, as one member of the Council, that the city should be honorable enough to grant these men some sort of a yearly pension. There is at present before the Committee on Cities House Bill No. 802. I do not ask the

members of this Council to subscribe to that particular bill; I only ask that the members of the Council go on record, as representatives of the people of the city, that it is the opinion of this Council, which rejected that civil pension act, that an act should be upon the statute books providing for the retirement of aged and infirm laborers who should receive an annual pension The act which was considered by the Committee on Cities is an act to which I subscribe as one member of the City Council. It states in the first section that "there shall be a retirement board for the laborers employed by the City of Boston, consisting of the Mayor, the Auditor and the Treasurer of the city, who shall discharge the duties hereby imposed upon them without additional compensation." In this particular act the membership of the retirement board is certain, which it was not under the civil pension act which was rejected. The duties of the retirement board are imposed upon three men and there is no expense of administration. The duties which are imposed under this act are to be discharged by them without any additional compensation. Under the civil pension act it was stated that at least $25,000 would be the expense of the administration of that act for the first year. In section 2 of House Bill 802 it states that "any laborer employed by the City of Boston who has reached the age of sixty years and who has been in the service of the city for a period of not less than twenty-five years shall at his request and with the approval of the retirement board above provided for, be retired from service, and shall receive for the remainder of his life an annual pension equal to one-half of the compensation which he received during the last year of his service for the city. It shall be the duty of the said board so to retire any laborer in the service of the city who has reached the age of seventy years and has served the city for a period of not less than twenty-five years." That is, there is voluntary retirement under this act when a man reaches the age of sixty years, and he is forced to retire when he has reached the age of seventy years. Under this act he would receive an annual pension equal to one-half the compensation which he received during the last year of his service for the city. That is the least, in my opinion, which the city should give to the old, faithful laborer who has worked hard in the early days in the ditch, who has helped to make our city what it is by building its streets and sewers, laying its water mains, removing the garbage and ashes of the city. Under this act the day laborer does not have to contribute; under the civil pension act he was supposed to contribute 1 per cent or 5 per cent, as laid down by the retirement board. Many of the old laborers could not spare under that act 1 per cent of their wages or 5 per cent of their wages. Under this act they are to contribute nothing, and I believe that is fair to them. Most of the pension legislation on the statute books to-day, for the firemen, police and the teachers, is noncontributory pension legislation. That is, they pay nothing. The city has been generous with them and the city, in my opinion, should be generous with these men, who need generosity in their old age. This bill, if it would become a law, would, in my opinion, retire the superannuated employees. In the Street Department, to-day the Department of Public Works, there are at present 282 men who have served the city for twenty-five years and who are over the age of sixty. Between the ages of sixty and seventy there are 203 men who have served the city for twenty-five years. Over seventy years of age there are seventy-nine men who have served the city for twenty-five years. The city pays these men on an average $704 per year, when steadily employed. The wages which are paid to the 282 employees are $198,000. If the city could get along after these men were retired on a pension without putting other men in their places, this would be a distinct gain to the city. As I have stated in regard to the Sanitary Department, the city two years ago was spending there $35,000 a year in the employment of men from which the city was getting no return whatever; and if these men over seventy years of age were pensioned the chances are that there would be a saving of at least $27,000 a year on those few men, and at the same time the city would be fair to them and the men would not have to go to the poorhouse. I think an effort will be made this year to amend that civil pension act which was rejected by the Council of last year. In my opinion the members of this Council do not care to adopt that civil pension act. They once rejected it, and if it is amended by the Legislature this year, if I know the temper of the members of this Council, in my opinion they will not accept it. I think the opinion of the members of the Council here is that a laboring man who has reached the age of sixty or seventy years and who has served the city faithfully for twenty-five years should receive an adequate pension. If there is no objection, I move reference of the resolution to the Executive Committee.

The preamble, resolution and order were referred to the Executive Committee.

RECESS TAKEN.

The Council voted at 5.15 p. m., on motion of Coun. BALLANTYNE, to take a recess subject to the call of the President.

The members reassembled in the Council Chamber and were called to order by the President at 6.10 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Report on communication from Boston Disposal Company (referred to-day) giving list of officers, etc.— that the same be placed on file.

Report accepted; communication placed on file.

(2) Report on preamble, resolve and order (referred to-day) that the City Council favors an act providing for the retirement of aged and infirm city laborers, who shall receive an annual pension— that the same ought to pass.

Report accepted; preamble, resolve and order passed.

(3) Report on message of mayor and communication from Cemetery Trustees (referred to-day) relative to half holidays for employees of Cemetery Department—recommending the passage of the following:

Ordered, That, under the provisions of chapter 587 of the Acts of 1908, the Cemetery Trustees be hereby authorized to allow half holidays on Saturdays to all employees of the Cemetery Department whose services can be dispensed with, without loss of pay, during the present financial year.

Report accepted; order passed.

(4) Report on message of Mayor, communication and order (referred to-day) that the sum of $500 be appropriated, to be added to the appropriation for Mayor's Office, Public Celebrations, when made, for celebration for the fiftieth anniversary of the Minutemen of Massachusetts on April 15, 1911.

Report accepted; order passed.

(5) Reports on petitions (severally referred to-day) for permits for children under fifteen years of age to appear at various places of amusement, that permits be granted, viz.:

Adelina and Jennie Lewis, for children to appear at Bethesda Hall on the evening of April 27.

Rev. T. F. White, for children to appear at St. Mary's Hall on March 13, 20 and 27.

Rev. J. S. McKone, for children to appear at St. Anne's Parochial School on March 17.

Reports severally accepted; permits granted on the usual conditions.

MUNICIPAL BUILDING, WARD 7.

Coun. ATTRIDGE offered an order—That the Committee on Finance consider the advisability of establishing a municipal building in Ward 7, said building to contain a branch library, gymnasium and baths.

Passed.

GENERAL RECONSIDERATION.

Coun. ATTRIDGE moved general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 6.15 o'clock p. m., on motion of Coun. McDONALD, to meet on Monday, March 20, at three o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 20, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair and all the members present.

The Council voted, on motion of Coun. ATTRIDGE, to dispense with the reading of the records of the last meeting.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894, viz.:

Three grand jurors, Superior Criminal Court, to appear April 3, 1911:

C. David Bartlett, Ward 21; J. Franklin Cram, Ward 24; Louis A. Perkins, Ward 8.

Thirty-five traverse jurors, Superior Civil Court, Seventh Session, April Sitting, to appear April 3, 1911:

Alfred Andren, Ward 25; Daniel F. Eagan, Ward 13; Alexander Brown, Ward 21; Joseph A. Di Pesa, Ward 6; James G. Gillespie, Ward 20; Albert T. Snow, Ward 1; Guy L. Millett, Ward 25; Edward J. Smith, Ward 17; Thomas Daly, Ward 2; John H. Nolan, Ward 22; Carle G. F. McCormick, Ward 20; James J. Sweeney, Ward 25; J Frank Crowley, Ward 9; Henry D. Murray, Ward 20; Joshua S. Macdonald, Ward 20; James J. McManus, Ward 5; Allen J. McIntire, Ward 3; Frank G. Arnold, Ward 18; John J. McCarthy, Ward 25; Fredrick G. Farnsworth, Ward 14; Reuel T. Fletcher, Ward 17; Joseph A. Smith, Ward 13; John Crowley, Ward 17; Thomas J. Mitchell, Ward 12; William J. Breslin, Ward 23; John A. Fleming, Ward 25; John E. Martin, Ward 24; John C. Horton, Ward 23; Elmer P. Oakman, Ward 24; Bartholomew D. Connolly, Ward 19; Jeremiah P. Roche, Ward 20; John Hopkins, Ward 23; George C. McLeod, Ward 24; John P. Cunniff, Ward 16; Michael Morrissy, Ward 2.

Forty-two traverse jurors, Supreme Judicial Court, to appear April 10:

Frank A. Bourne, Ward 11; Carl H. Johansson, Ward 22; Dennis F. Rourke, Ward 25; John F. Rourke, Ward 23; Robert E. Harrison, Ward 14; Daniel J. Moynihan, Ward 9; Harry C. Holt, Ward 10; Michael O'Neil, Ward 6; William J. Lockhart, Ward 23; Simon Lacob, Ward 6; Augustus H. Morrill, Ward 25; Charles S. Fruean, Ward 16; William O'Neill, Ward 17; Abraham J. Cooper, Ward 1; Hollis A. Langley, Ward 25; Mordecai Farrar, Ward 18; Theodore J. Potter, Ward 23; Manuel J. Adams, Ward 1; John McNamara, Ward 14; James H. Connors, Ward 19; Thomas Bowman, Ward 10; Jeremiah F. Driscoll, Ward 12; James Stapleton, Ward 1; Edward M. McInnes, Ward 12; Stewart P. Burke, Ward 20; James L. McDonnell, Ward 17; Nicolas Henderscheid, Ward 22; John W. Sweeney, Ward 15; John J. Hoar, Ward 5; Richard Bell, Ward 20; William P. Lyons, Ward 20; Wilson P. McKeen, Ward 21; James H. Moran, Ward 21; Robert L. Sproul, Ward 19; William L. Shute, Ward 21; Charles F. White, Ward 20; John McGilvray, Ward 24; Albert M. Hayes, Ward 9; Dennis J. Edwards, Ward 17; John A. Webster, Ward 1; John Hillis, Ward 2; Frank E. Granger, Ward 10.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, March 20, 1911.

To the City Council:

Subject to confirmation by your honorable body, I hereby appoint Samuel C. Lawrence and Walter M. Stone Constables of the City of Boston for the term ending April 30, 1911. Messrs. Lawrence and Stone are agents of the Boston Children's Aid Society and are to serve as constables without bonds.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Laid over under the law.

—

To the City Council:

Subject to confirmation by your honorable body, I hereby appoint Neil Macdonald (7 Sycamore street, North Cambridge) a Weigher of Coal for the term ending April 30, 1911.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Laid over under the law.

FLAG FOR CORONATION DAY.

The following was received:

City of Boston,
Office of the Mayor, March 20, 1911.

To the City Council:

The accompanying letter from Mr. W. Jessop, honorable secretary of the Boston Old Brigade of Boston, England, suggests that the City of Boston, Mass., send the members of the brigade a Union Jack, to be carried on Coronation Day. It seems to me a very happy thought, and this emblem might well serve as a link between the two cities of similar name and of close historical connection. The addition of a handsome American flag might render the gift even more appropriate.

I beg to inform your honorable body that an order requesting an appropriation for the purchase of one or both of these flags would meet with my approval and I should be willing to recommend the amount which you should consider necessary for this purpose.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

24 South Street, Boston, England.

To His Worship the Mayor,
Boston, America:

Dear Sir,—I hope you will pardon the liberty I take in writing to you. I ask you on behalf of the Boston Old Brigade whether you could buy us a Union Jack to carry in front of our brigade on Coronation Day (assisted by the members of your corporation). Our funds are very low through assisting so many of our old soldiers and navy men. We cannot afford to buy one ourselves. It would show a good feeling between the two countries and I am sure old Boston would be proud of it. If you do so we shall carry the Stars and Stripes at the same time. Inclosed you will find a leaf from the "Boston Red Book" showing what the Old Brigade is formed for, also a small photo of myself. Wishing your great country and yourself and the members of your corporation every success, I remain,

Yours faithfully,
W. JESSOP,
Honorable Secretary Boston Old Brigade.

Referred to the Executive Committee.

CITY PLANNING EXHIBIT.

The following was received:

City of Boston,
Office of the Mayor, March 20. 1911.

To the City Council:

In transmitting the accompanying letter from W. Templeton Johnson, Esq., assistant secretary to his Honor Mayor John E. Reyburn of Philadelphia, I beg to call your attention to my previous communications upon the same subject, under date of January 11 and January 23, and to recommend the passage of the accompanying order, appropriating one thousand five hundred dollars ($1,500) for the expenses of an exhibit at the Philadelphia City Planning Exhibition.

As noted in my previous communications, the city of Philadelphia will pay for the transportation, care and return of the exhibit, and will provide attendants. The exhibit will be displayed in the City Hall of Philadelphia for three weeks or more following the Third National Conference on City Planning, which is expected to occupy three days. As the date of the exhibition is from May 15 to

June 15, immediate action is required in order that the exhibit of the City of Boston may be properly prepared.

Respectfully,
JOHN F. FITZGERALN, Mayor.

First Municipal City Planning
Exhibition in America,
Philadelphia, Penn., March 15, 1911.

Mr. William A. Leahy,
Mayor's Office, Boston, Mass.:

Dear Sir,—I am in receipt of your letter of March 13, and note that the City Council at its meeting on March 6 took no action toward the making of an appropriation for the preparation of an exhibit to be sent to Philadelphia.

Almost every day we are receiving enthusiastic letters from municipalities all over the country who are hard at work preparing comprehensive exhibits for their cities, and it would be very regrettable if a city of the size and influence of Boston should not be represented.

I hope that Mayor Fitzgerald will put this matter again before the committee at his earliest opportunity.

Yours very truly,
W. TEMPLETON JOHNSON,
Assistant Secretary.

Ordered, That to meet the expenses of an exhibit at the Philadelphia City Planning Exhibition the sum of one thousand five hundred dollars ($1,500) be, and hereby is, appropriated to be expended by the Art Commission, under the direction of the Mayor, and to be charged to the appropriation for Reserve Fund, when made.

Referred to the Executive Committee. (See Executive Reports.)

FOOTBRIDGE, DOVER STREET.

The following was received:

City of Boston,
Office of the Mayor, March 20, 1911.

To the City Council:

I beg to forward a number of petitions signed by residents of South Boston and vicinity requesting that a footbridge be constructed adjoining the Dover Street Bridge during the closing of the latter structure to public travel. The opinion of the Commissioner of Public Works upon this request, appended hereto, is unfavorable to the desires of the petitioners, but if your honorable body should express the view that the detour of sixteen hundred feet via Broadway is more than the people of this district should be asked to make, and should favor an increase of the appropriation of his department by three thousand dollars ($3,000), which is his estimate of the cost of the proposed footbridge, I should be willing to recommend this increase.

Accompanying the letter of the Commissioner of Public Works and the petitions is a communication from the division engineer of the Bridge and Ferry Divisions.

Respectfully,
JOHN F. FITZGERALD, Mayor.

(Annexed were the petitions referred to.)

Public Works Department,
City Hall, Boston, March 11, 1911.

To the Honorable the Mayor:

Re inclosed petition for temporary footbridge, pending repairs to Dover Street Bridge, I hereby concur in the attached opinion of Division Engineer Fay that such a footbridge, which would cost $3,000, is not needed in view of the fact that Dover Street Bridge will be closed for only a period of four weeks, and that the distance via Broadway is only 1,600 feet longer.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

Public Works Department,
March 10, 1911.

Mr. L. K. Rourke,
Commissioner of Public Works:

Dear Sir,—The City Council last year made an appropriation for painting and repairing Dover Street Bridge. The painting of the fixed spans has been completed. The repairing of the draw span has been held up pending the completion of the work on Broadway and Dorchester Avenue Bridges, and we are now ready to proceed with that work. To repair the draw span it will be necessary to close the bridge to travel for a period of about four weeks. Petitions have been presented to the Mayor requesting that a footbridge be constructed to accommodate foot travel during the period of the repairs on the draw span. The appropriation already made for the work is insufficient to cover the cost of a footbridge, and if the footbridge is to be constructed it will be necessary to add the sum of $3,000 to the appropriation for this bridge. If the footbridge is not constructed the foot travel would have to cross Broadway Bridge, and from the corner of Dorchester avenue and West Fourth street in South Boston to the corner of Albany street and Dover street in the city proper the distance is approximately 1,600 feet longer by way of Broadway Bridge than the direct route by way of Dover Street Bridge.

In my opinion the temporary footbridge costing $3,000 is not needed, but if you think otherwise I would suggest you request the Mayor to ask the City Council for an increase of $3,000 in the appropriation for the repairs on Dover Street Bridge.

Yours respectfully,
FRENERIC H. FAY,
Division Engineer.

Referred to the Committee on Appropriations.

SALE OF CITY HORSES.

The following was received:

City of Boston,
Office of the Mayor, March 20, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order, authorizing the Commissioner of Public Works to sell at public auction or at private sale about fifty (50) horses at various intervals throughout the year. A letter from the commissioner requesting this authority is appended hereto.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Public Works Department,
March 2, 1911.

To the Mayor of Boston:

Authority is respectfully requested to sell at public auction or at private sale about fifty (50) horses at various intervals during the year, the proceeds to be credited to the appropriation of the Highway Division of the Public Works Department.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

Ordered, That the Commissioner of Public Works be, and hereby is, authorized to sell at public auction or at private sale about fifty (50) horses now in the custody of the department at various intervals during the present fiscal year.

Referred to the Executive Committee.

CUSTODY OF MUNICIPAL BUILDING.

The following was received:

City of Boston,
Office of the Mayor, March 20, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order, transferring the care and custody of the municipal building on Blossom street from the Superintendent of Public Buildings to the Bath Trustees. A letter from the chairman of the Bath Trustees sets forth the advisability of immediate action on this question.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Bath Department,
Boston, March 14, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

My dear Sir,—In view of the near approach of the time when operations will start in renovating and improving the municipal building on Blossom street, Ward 8, I beg your approval of the following order, which I trust you will submit to the City Council, transferring the above named property to our custody.

We have at our disposal now the sum of $25,000 to carry on the proposed improvements, and as

the building will eventually come under our direction we deem it advisable that the transfer be made at this time, before we start to expend the amount appropriated for our use.

"Ordered, That the care and custody of the municipal building on Blossom street, Ward 8, now in charge of the Superintendent of Public Buildings, be, and the same is, hereby transferred to the care and custody of the Bath Trustees."

Trusting that this will merit your immediate approval, I am,

Very truly yours,
RICHARD M. WALSH,
Chairman Bath Trustees.

—

Ordered, That the care and custody of the municipal building on Blossom street be transferred from the Superintendent of Public Buildings to the Bath Trustees.

Referred to the Executive Committee.

SUBSOIL IRRIGATION, BOSTON COMMON.

The following was received:

City of Boston,
Office of the Mayor, March 18, 1911.

To the City Council:

I beg to transmit a copy of a letter from the Superintendent of Public Grounds regarding the need of an additional appropriation of about seventy-five thousand dollars ($75,000), in order to complete the work of subsoil irrigation begun on Boston Common last year. The superintendent suggests that this further appropriation, like that which has already been made for this purpose, might be taken from the income of the Parkman Fund.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Public Grounds Department,
March 7, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—I wish to bring to your attention our experiment in the work of irrigation on Boston Common and our advancement in the resoiling of about eight acres with the installation of an irrigation system.

We have now available but $31,000, approximately, and as it has been arranged to proceed with the work in the early spring (weather permitting) and there remains about twenty-three acres to be done in addition to the eight already covered, I would recommend an immediate appropriation from the Parkman Fund to continue the work of irrigation the coming spring, summer and fall.

To proceed with the work we should have at least an additional appropriation of $75,000. Based on our work of the past year this amount would be absolutely necessary. The experiment has proved highly satisfactory and should continue.

Respectfully submitted,
D. H. SULLIVAN, Superintendent.

Referred to the Committee on Parkman Fund.

REMOVAL OF MOTH NESTS.

The following was received:

City of Boston,
Office of the Mayor, March 20, 1911.

To the City Council:

I beg to transmit a communication from the Executive Secretary of the United Improvement Association, calling attention to the necessity for immediate work by the City of Boston in removing gypsy and brown-tail moth nests from trees and foliage. A communication from the Superintendent of Public Grounds, in reply thereto, expressing the opinion that an appropriation of eighty-five thousand dollars ($85,000) is required for this work, is attached hereto for your information.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

United Improvement Association,
Boston, March 15, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston,
City Hall, Boston:

Dear Sir,—In accordance with a vote of the Executive Committee, I am instructed to bring to your attention the necessity for immediate work by the City of Boston in cleaning trees and foliage of gypsy and brown-tail moth nests.

From the Public Grounds Department the committee learns that about sixty men are at work, now in the West Roxbury district, in cleaning nests from the trees.

At the present rate at least a month will be consumed before the entire city is covered and by that time the gypsy and brown-tail moths will be alive, with the result that large numbers of trees will be ruined and the general public put to great inconvenience.

The committee hopes that you will give this important matter your immediate attention.

Very truly yours,
M. C. BERKOWITZ,
Executive Secretary.

—

Public Grounds Department,
March 17, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

Dear Sir,— In reply to the inclosed communication of the 15th inst. from Mr. Mortimer L. Berkowitz, Executive Secretary for the United Improvement Association, concerning the suppression of the gypsy and brown-tail moths throughout the city, I would say that it is impossible to cover the entire city on destruction work in one season with the limited appropriation allowed for the work.

We are guided in doing the destruction work by the state inspectors, who direct the moth men to the districts where the infestations are greatest, and other districts not covered by destruction work will be subjected to the spraying treatment which is also very effective, during the spring and early summer.

In order to cover the entire city on destruction work and follow it by spraying it would require a force of 150 men and an appropriation of $85,000, whereas the amount allowed this year for the purpose is only $40,000.

For the last two years I have endeavored to get property owners to co-operate with the city and state officials by caring for their trees on destruction work and have succeeded to a limited extent. It has occurred to me that this might be a good field in which the United Improvement Association could help along the work by influencing the members of their numerous associations to recommend this means to their friends, for which I would be extremely grateful.

Respectfully,
D. H. SULLIVAN, Superintendent.

Referred to Committee on Appropriations.

REOPENING OF CHARLESTOWN SEWER YARD.

The following was received:

City of Boston,
Office of the Mayor, March 20, 1911.

To the City Council:

I beg to transmit a letter from the Secretary of the Charlestown Improvement Association, notifying me that the association favors the reopening of the sewer yard in Charlestown, and suggests that this communication be referred to your Committee on Appropriations. A copy of the letter has been referred to the Commissioner of Public Works for a report upon the cost and feasibility of the proposed change.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Charlestown Improvement Association,
Charlestown, March 7, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

Dear Sir,—At last night's meeting of the association it was voted that you be asked to use your influence and endeavor to have the sewer yard here in Charlestown reopened and put on a good working basis.

Yours very truly,
DANIEL A. MCVARISH, Secretary.

Referred to the Committee on Appropriations.

YACHT RACE TROPHY.

The following was received:

City of Boston,
Office of the Mayor, March 20, 1911.

To the City Council;

I beg to transmit a letter from Mr. Hollis Burgess, notifying me that the Boston Yacht Cluh will conduct an ocean yacht race next summer from Boston to Bermuda, and requesting that the city offer a trophy for the winner of this contest. In my opinion the suggestion is an admirahle one and I recommend the passage of tbe accompanying order, appropriating the sum of five hundred dollars ($500) for such a trophy.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Hollis Burgess Yacht Agency,
15 Exchange Street,
Boston, March 18, 1911.

Hon. Jobn F. Fitzgerald, Mayor,
City Hall, Boston:

Dear Sir,—In confirmation of my conversation with you at your office, I beg to say that the Boston Yacht Cluh is going to conduct an ocean yacht race next summer from Boston to Bermuda, and that it is to he hoped that the City of Boston will offer a trophy for the winner of this contest.

This race, for sailing yachts only, is to start Saturday, June 3, at twelve o'clock, off the Marine Pier, South Boston, and finish off St. David's Head, Bermuda. I inclose two clippings from the *Royal Gazette*, Bermuda, of January 17 and 19, which will show the great interest taken in Bermuda in the coming event.

The city of Philadelphia last year offered a $1,000 silver trophy to the winner of the Philadelphia-Havana motor boat race, and as the Boston-Bermuda race will he of the greatest interest and importance, it is hoped that the City of Boston will offer a suitable prize of a value of $500 or $1,000.

The City of Boston in the past has always encouraged in every way the sport of yachting, and as this is the first time that Boston has been the starting point for the Bermuda race, a municipal prize would be bighly appreciated by yachtsmen.

Bermuda is growing very rapidly as a winter and summer resort for Americans, and it is helieved that this Boston-Bermuda race should eventually lead to the establishment of a steamship line between Boston and Bermuda, particularly if the City of Boston will assist in the development of trade and travel hetween the two places by officially recognizing this great race.

Entries already received for the contest are:

Schooner "Vagrant," Harold S. Vanderhilt owner; Schooner "Shiyessa," J. V. Morrell owner; Schooner "Seneca," Demerest Lloyd owner; Schooner "Margaret," George S. Runk owner.

Other entries are certain to come in soon, particularly if the City of Boston will show its interest in the event by offering a trophy.

With best wishes,

Yours sincerely,
HOLLIS BURGESS.

—

Ordered, That to meet tbe expense of a suitable trophy to be awarded to the winner of an ocean yacht race to be sailed next summer from Boston to Bermuda, under the auspices of the Boston Yacht Cluh, the sum of five hundred dollars ($500) he, and hereby is, appropriated to he added to the appropriation for Mayor, Office Expenses, etc., when made.

Referred to the Executive Committee.

EXPENDITURES FOR "ZOO," ETC.

The following was received:

City of Boston,
Office of the Mayor, March 16, 1911.

To the City Council:

I beg to transmit the accompanying letter from tbe United Improvement Association, incorporating a recent resolution to the effect that not more than 50 per cent of the income of the Parkman Fund should be expended in any one year for the purpose of a zoological garden in Franklin Park, and an aquarium in Marine Park.

Respectfully,
JOHN F. FITZGERALD, Mayor.

United Improvement Association,
Boston, March 11, 1911.

Hon. Jobn F. Fitzgerald, Mayor,
City of Boston, City Hall. Boston:

Dear Sir,—The delegates representing the Citizens and Improvement Associations, affiliated in the United Improvement Association, upon recommendation of the Committee on Parks and Playgrounds, at their meeting on March 1, voted to send to you the following resolution adopted at that time:

"Resolved, That it is the sense of the United Improvement Association that a wise and safe plan for the expenditure of the income of the Parkman Fund would be that not over 50 per cent of the income be expended in any one year for the purpose of a zoological garden in Franklin Park and an aquarium in Marine Park for these reasons:

"That a most cursory study of the situation as regards the condition of local parks shows that large and immediate expenditures are necessary for their improvement and hringing up to tbe proper standard."

The Committee on Parks and Playgrounds based its conclusions upon a general knowledge of the condition of local parks and playgrounds, which might be benefited hy the income of the Parkman Fund.

The committee would especially call to your attention a letter under date of March 7, from Mr. D. Henry Sullivan, Superintendent of the Puhlic Grounds Department, a copy of wbicb was forwarded to this office, which contains recommendations for needed improvements in the local parks, amounting to $82,175, and to another letter under date of March 7, requesting that $75,000 be appropriated for additional work in resoiling Boston Common.

The committee and tbe association believe, in view of these facts and figures, that at least one-half tbe income each year should he appropriated from the Parkman Fund for the henefit of local parks and playgrounds which were in existence in 1887.

Very truly yours,
M. L. BERKOWITZ.

Referred to Committee on Parkman Fund.

DISPOSAL OF CITY REFUSE.

City of Boston,
Office of the Mayor, March 16, 1911.

To the City Council:

I heg to transmit a letter from the Commissioner of Puhlic Works, announcing a proposal from the Boston Disposal Company for disposing of the refuse of the City of Boston, with the exception of the West Roxbury and East Boston districts, for the ten years heginning January 1, 1912. The letter of the Commissioner of Puhlic Works is accompanied by a communication from the president of the Boston Disposal Company, a copy of the charter of that company, a copy of the contract which tbe company stands ready to sign, and the plans of the proposed stations and terminals.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Puhlic Works Department,
March 13, 1911.

To tbe Honorable tbe Mayor:

In connection with the proposal of the Boston Disposal Company for the disposal of the city refuse, with the exception of the West Roxbury and East Boston districts, kindly note attached letter from the president of the Boston Disposal Company and also find attached the charter of said company.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

City of Boston,
Public Works Department,
Marcb 13, 1911.

To the Honorable the Mayor:

Inclosed find proposal of Boston Disposal Company for disposing of the refuse of the City of Boston, with the exceptions of the West Roxbury and East Boston districts, for the ten years beginning January 1, 1912.

I consider that this proposal offers a scientific solution of the problem at a reasonable figure, and would respectfully request that it he forwarded to tbe bonorable the City Council for action, as per section 6 of chapter 486 of the Acts of 1909.

Also, find sketch plans of the proposed stations and terminals. There is a loan of $50,275.85 available now for the construction of the Freeport street terminal, and in addition to this it is estimated that $100,000 will be necessary to build all the terminals and stations. Therefore, if this proposal is approved by the City Council, the only immediate investment on the part of the city will be about $150,000 for the construction of these stations, of which $50,275.85 is available.

Very respectfully,
L. K. ROURKE,
Commissioner of Public Works.

(Annexed was a copy of the charter referred to in letter from Commissioner of Public Works.)

—

Boston Disposal Company,
No. 511 Ford Building,
Boston, March 9, 1911.

Louis K. Rourke, Esq.,
Commissioner of Public Works,
Boston, Mass.:

Dear Sir,—Answering your letter of March 7, 1911, I would say the Boston Disposal Company is organized under the laws of the Commonwealth of Massachusetts, the date of its charter being February 9, 1911.

The following are its officials:
Frederick H. Payne, President.
William J. Carlin, Vice President.
Edward R. Hastings, Treasurer.
J. Steuart Rusk, Clerk.
Lawrence M. Stockton, Counsel.

The above, with Albion F. Bemis, Theodore G. Bremer and John H. Gibbs are the board of directors.

It may be of interest to you to know the business standing of these men:

Mr. Payne is vice president of the Federal Trust Company, Boston.

Mr. Carlin is treasurer of the Coffin Valve Company and a heating and ventilating contractor.

Mr. Bremer is of the firm of Parker, Wilder & Co.

Mr. Bemis is a director of the Federal Trust Company and a former member of the Governor's Council.

Mr. Rusk is a patent attorney, and is retained by the American Pneumatic Service Company, and also has a private practice.

Mr. Stockton is a member of the firm of Stimson, Stockton, Livermore & Forbes, attorneys at law.

Mr. Gibbs is president of Winch Brothers' Company.

Mr. Hastings is of the firm of Devens, Lyman & Company, brokers.

The present office of the company is at 511 Ford Building, Ashburton place, Boston.

We propose to acquire from Mr. Willis C. Merrill, who is a stockholder and director in the New England Sanitary Product Company, the right to use certain of his patents, which represent the most modern and effective methods of treating refuse, and he will thereupon become one of our stockholders. Mr. Rusk, one of our directors, is also a stockholder and director in the New England Sanitary Product Company. No other person interested in the New England Sanitary Product Company is, or will be, connected with the Boston Disposal Company.

The only interest the Boston Disposal Company has in the affairs of the New England Sanitary Product Company is to acquire by purchase, on as favorable terms as possible, its plant and location. The Boston Disposal Company will have no relations with the New England Sanitary Product Company. On our purchase of the property the New England Sanitary Product Company will retire from business and have no part in our management or operation.

All of the directors and parties connected with the Boston Disposal Company are Boston business men and interested in the development of the city and have financial interests at stake.

The company is prepared to qualify in the usual bonds, which are required by a contract of this character.

It is the intention of this company to build and equip the most modern plant for the disposal of city wastes that has ever been built at the admirable location which it will occupy.

The enterprise will add a new industry to the business of Boston, and give employment to many men.

In the preparation of our proposition to the city the situation has been carefully considered with reference to the sanitary development and economical disposition of the waste material to be handled, and it calls for a type of advanced sanitary engineering, which can only be comprehended by a thorough understanding of the diverse conditions presented by the problem.

Our method embodies reduction and incineration of the highest form, and includes a modern high temperature destructor of the Heenan & Froude type.

In view of misleading public criticism we would ask you to call attention to the fact that the first offer made in reply to the invitations for proposals was figured by the city at $362,195 per year. This was on the understanding that the company was to build and maintain all the stations. On a subsequent request for modifications of the bid for disposal of the refuse of the whole city the price given by the company was $270,000 for the first year, with an increase of 2.6 per cent in each succeeding year over the previous year, the city to build and maintain stations.

After further conferences and discussions the city decided to leave out of the operation of the contract, at least for the time being, the East Boston and West Roxbury districts. The company therefore reduced its price for the first year, figuring on a population basis, to $234,940, the present price. The company further, on account of reduced plant capacity required by the modified conditions, reduced its yearly increase of price from 2.6 per cent to 2.1 per cent, the present figure. On this basis our total price for ten (10) years is $2,584,348.

It should be further noted that we have offered to reduce our price to the extent of $25,000 a year, should the city elect to do all the teaming within the city; that is to say, the transportation of refuse from the inland stations to the waterfront stations will, under the contract, be performed by us, although forming no part of final disposition. Should the city decide to undertake the transportation as above, the net total cost to the city during the ten years of the contract will be $2,334,348. We respectfully request a comparison of these figures with the cost to the city during the ten years of our proposed contract on any reasonable estimates.

In fairness to this company the city should remember that by letter to you, dated October 17, 1910, which accompanied the original bid, the whole plan of the company was submitted, so far as it could be without the actual organization of a corporation, and far from wishing to conceal the names of those interested, we have been, and are, anxious that the city and public shall have all the facts in regard thereto.

The present capital paid in is $5,000, which is sufficient for present needs, and in case the company enters into the contract all capital necessary to carry it out will be forthcoming.

Our operating staff includes men of experience and high technical skill, and assures the fulfillment of the contract with the greatest possible efficiency.

Our charter is herewith submitted for your inspection.

In case you or any member of the City Council desire a personal interview with the gentlemen associated together in this enterprise, we shall be pleased to make an appointment to suit your convenience, and go into the matter more in detail.

Respectfully yours,
FREDERICK H. PAYNE, President.

—

Contract for the Disposal of Refuse of the City of Boston.

The City of Boston, a municipal corporation of Massachusetts, and the Boston Disposal Company, hereinafter called contractor, a business corporation of Massachusetts, agree for the term of ten (10) years from and including January 1, 1912, as follows:

Article 1. The word "officer" means the present commissioner in charge of the Department of Public Works of the city, and the person hereafter designated by the Mayor of the city to supervise for the time being the work under this contract,—"scow" means any conveyance for moving refuse by water,—"refuse" means garbage, ashes, waste paper, street sweepings, house dirt and other house rubbish, but does not include market wastes, bricks, mortar, tiling, etc., or rubbish or waste resulting from building operations, or ashes from manufacturing plants or office buildings,—"garbage" means refuse of an organic nature, consisting of swill or accumulations attending the preparation

or decay of meats, fish, fowl, birds, vegetables, or food wastes containing not more than five (5) per cent in weight of other refuse or waste, hut does not include market waste or street sweepings,—"station" means a place including the land on which it stands and everything appertaining thereto at which collections of refuse made hy the city are to be delivered, and all thereof are to be provided and maintained in good repair hy the city at its sole expense,—"terminal" means a station aforesaid on tide water.

Article 2. The city, conforming to sketches thereof furnished by the contractor and marked "Sketches Accompanying Boston Disposal Contract," dated Fehruary, 1911, and with such changes therein as shall he agreed upon hy the president of the contractor and the officer, shall furnish ready for use hefore December 31, 1911,—terminal at Fort Hill Wharf,—terminal at city yard, Freeport street, Dorchester,—terminal at city yard, Albany street,—station at Highland city yard, and—station at city yard, Western avenue, Brighton, and shall, without compensation therefor, furnish the contractor with reasonahle access to, and use of, all stations, wharves and docks under the control of the Department of Public Works.

Article 3. The city shall collect from all parts of the city, with the exception of what are now known as the East Boston and West Roxhury districts, the refuse aforesaid; deliver the garhage unmixed with any other refuse not herein authorized, into receptacles at the stations, or into scows at the terminals, and deliver all other refuse aforesaid at the nearest station or terminal.

Article 4. The contractor, without compensation therefor—shall have the exclusive use of the stations, and at its own expense at any time, make changes therein agreed to hy the officer, and shall keep in each station other than a terminal, during all working hours, one or more metallic receptacles sufficient to hold the garhage as it is hrought thereto hy the city,—shall keep at each terminal, so far as reasonahly practicahle, during the hours prescribed by the officer, sufficient, and conveniently placed, scows so that the refuse as it is hrought thereto can be placed therein,—shall maintain in Boston Harbor a plant of sufficient capacity to reduce all refuse delivered by the city at the stations,—shall keep its transportation equipment plainly marked with the name of the contractor and designating numbers, and—shall require its employees at the stations to wear identifying uniforms approved by the officer.

Article 5. The contractor—shall receive at the stations all market waste and ashes not required to be collected and delivered hy the city as aforesaid, that shall he delivered and paid for by the party making delivery at a rate not to exceed five (5) cents per barrel,—may at the stations, if it so desires, sort out such parts of the refuse, other than garhage, as can he sorted and disposed of in a sanitary manner,—shall take the remainder from the stations to and into its scows and carry the same to its plant,—shall there reduce, by incineration or otherwise, the refuse,—shall dispose of all that remains after such reduction,—shall do all its work in a manner not ohjectionahle to the public health and comfort, and without spilling or dropping refuse or putting any thereof, except liquid or effluent, into tidal waters, and shall use such improved methods approved by the officer for doing its work as the contractor shall from time to time acquire, provided, however, that for a reasonahle time in case of fire or extraordinary snow or ice, or process of law or other extraordinary condition interfering with the carrying out of its part of the contract. the contractor may use any reasonable methods of reduction and disposal, or may have such extension of time as shall he agreed upon by the president of the contractor and the officer.

Article 6. The contractor in carrying on its work—shall give preference in employment on any work to be done in the city, first, to registered voters of the city; second, to other citizens of the city; and, third, to other citizens of the United States; the presentation hy an applicant for such employment of a tax hill for the last year in which annual tax hills were issued, made out to him, duly receipted and stamped by the Election Commissioners or by any registrar or assistant registrar of voters, to be sufficient evidence of citizenship; unless otherwise authorized in writing hy the officer, pay all employees on any such work no less wages than is customary in said city in their several employments; shall not request or require any lahorer, workman or mechanic working within this Commonwealth in the employ of the contractor, subcontractor, or other person contracting to do the whole or any part of the work, to work more than eight hours in any one calendar day; allow every employee full liherty to lodge, hoard and trade where and with whom he may choose, and not ohstruct any other person in doing work for the city; may direct how refuse shall he handled within the stations,—shall take out all permits and give all notices required hy public authorities,—shall pay all charges and fees incident to doing its work,—shall, when required hy the officer for reasonable cause, dismiss any employee and keep him away from its work.

Article 7. If the contractor shall fail to carry on its work as herein required, the officer may deliver to its president or clerk notice in writing, signed by the Mayor of the city, of the failure, and if it shall continue for more than forty-eight (48) hours, after the giving of the notice, the city, using any part of the labor, material, equipment or plant of the contractor with any other it desires, and hy day lahor or otherwise, may do the work which the contractor shall have failed to do; and the contractor shall pay to the city all expense, losses and damages incurred by the city thereby.

Article 8. The contractor shall assume the defence of all claims and suits against the city, its agents or employees, arising from any act, failure or neglect of, or from the use of any patent, patent right, material or implement by the contractor, its agents or employees in doing the work; and shall pay all damages, costs and expenses of the city arising from any such claim or suit, or from any injury to the property of the city by said persons.

Article 9. The city shall pay the contractor as follows:

First year, $234,940;

Second year, the same as the previous year increased $2\frac{1}{10}$ per cent;

Third year, the same as the previous year increased $2\frac{1}{10}$ per cent;

Fourth year, the same as the previous year increased $2\frac{1}{10}$ per cent;

Fifth year, the same as the previous year increased $2\frac{1}{10}$ per cent;

Sixth year, the same as the previous year increased $2\frac{1}{10}$ per cent;

Seventh year, the same as the previous year increased $2\frac{1}{10}$ per cent;

Eighth year, the same as the previous year increased $2\frac{1}{10}$ per cent;

Ninth year, the same as the previous year increased $2\frac{1}{10}$ per cent;

Tenth year, the same as the previous year increased $2\frac{1}{10}$ per cent;

in monthly instalments substantially equal on the first day of each month of each year heginning with February 1, 1912; and on making any such payment, shall be therehy released from all claims of or liahility to the contractor for any act, failure or neglect of the city, its agents or employees, or for anything resulting to the contractor, its agents or employees, prior to the payment, except for any payment aforesaid due and unpaid; and the contractor, on accepting any such payment, shall he thereby released from all claims or liahilities to the city for any act, failure or neglect of the contractor, its agents or employees prior to such payment.

Article 10. If the city shall in any year make daily collections and deliveries of garbage (not including Sundays and holidays) for a period of not less than three successive months, the city may make deduction from any payment hy it thereafter to be made to the contractor of the sum of $833.33 for each and every month during which such daily collections and deliveries of garhage shall have been made by the city to the contractor.

Article 11. The city, on request of the contractor and of the New England Sanitary Product Company shall allow said company to assign its contracts with the city for disposal of refuse to the contractor.

Article 12. The city shall not dispose of any of the refuse to he collected and delivered hy it under this contract, nor allow any thereof, so far as it can prevent, to be disposed of, other than as herein provided, without the consent of the contractor; shall cause the garhage that is to he so collected and delivered to be kept, collected and delivered free from all other refuse and wastes (except the five (5) per cent hereinbefore specified in the definition of garbage), and shall, by ordinance and otherwise, co-operate with the contractor in carrying these provisions into effect; if any employee of the city shall violate any of the provisions he shall he discharged forthwith, and, if the violation is done

wilfully and knowingly, the city shall cause the employee to be prosecuted.

Article 13. The city and the contractor shall allow any question arising under the contract to he determined by a majority of three persons, one selected hy the president of the contractor, one by the officer, and the third by the two so selected, and all such determinations shall he conformed to; and said three persons, the officer, contractor and any person designated by either, may enter upon and inspect the property and work of the city or contractor at all times and places, and shall he provided with safe and proper facilities therefor.

Signed and sealed this day of A. D. 1911.

CITY OF BOSTON,
by LOUIS K. ROURKE,
Commissioner of Public Works of said City.

BOSTON DISPOSAL COMPANY,
by FREDERICK H. PAYNE,
President Contractor.

Referred to Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

John D. Crowley, to be paid for damage to wagon hy fire apparatus.

Teresa A. Kiernan, to be paid for damage to clothing torn on a harrel in front of King's Chapel and Tremont street.

F. C. Hood, for compensation for damage to automohile hy heing run into by city team.

Executive.

Petition for children under 15 years of age to appear at various places of amusement, viz.:

Mrs. Franz E. Zerrahn, for children to appear at Boston Opera House March 23.

Morris Camberg, for children to appear at Ford Hall on April 16.

Mrs. Jeanie Irvine, for child to appear at Paul Revere Hall on March 29.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted hy the Secretary of the Commonwealth were received.

Placed on file.

STORAGE OF GASOLENE, ETC.

Communications were received from the hereinafter named parties, stating that the huildings hereinafter named are used by them for the storage of gasolene, etc., and of intention to continue such use for one year, viz.:

The Hudson Colby Company, 28 Scotia street, Ward 10.

Forrest S. Smith, 25 Selkirk road, Ward 25.

Patrick J. O'Brien, South Bay, vacant land.

F. G. Ragusa & Co., Boston Harhor.

Placed on file.

ORDERS OF LOCATION.

Copies of orders were received from the Street Commissioners granting permission for locations, as follows:

New England Telephone and Telegraph Company to erect pole on Bowdoin avenue, Ward 20.

The same company to erect and remove two poles on Sleeper street, Ward 13.

The same company to attach wires to poles of West End Street Railway Company on Dartmouth street.

Edison Electric Illuminating Company to erect and remove three poles on Condor street, Ward 1.

The same company to erect poles on La Grange street, Ward 23.

West End Street Railway Company, alteration of location on Camhridge street, Brighton.

Old Colony Street Railway Company, temporary addition to location on Walk Hill street.

Placed on file.

APPROVAL OF APPOINTMENT.

Notice was received from the Civil Service Commissioners of the approval of appointment of M. W. Burlen as Election Commissioner of the City of Boston.

Placed on file.

MINORS' LICENSES.

President COLLINS submitted reports on petitions of twenty-seven newshoys, one hoothlack and three vendors for minors' licenses, recommending that the same be granted.

Licenses were granted hy the Council on usual conditions.

EDGESTONES, RIVER STREET.

Coun. BALLANTYNE offered an order—That the Commissioner of Puhlic Works construct granite edgestone in front of estates hordering thereon on hoth sides of River street, from Mattapan square to the Hyde Park line, said work to be done under the provisions of chapter 437 of the Acts of 1893.

Passed.

DEVELOPMENT OF CITY OF BOSTON.

Coun. HALE offered an order—That the Finance Commission he requested to prepare and suhmit to the present City Council a plan for the development and advancement of the City of Boston from this date to January 1, 1920; such plan to he made along the following lines:

1. A determination of the permanent improvements which should he made on or before January 1, 1920, in order that the city may keep up with the progress of the nation and of other cities.
2. A determination of the approximate cost of each of such permanent improvements.
3. A determination of the approximate amount of money which can he borrowed each year down to 1920 inside of the deht limit.
4. A determination of the amount of money inside the deht limit which should not he considered in this plan, but should be left as a reserve to meet emergencies or unexpected needs of the city.
5. A determination as to which if any of these permanent improvements should he properly made outside the deht limit.
6. Arrangement of the improvements determined under paragraph 1, at the costs determined under paragraph 2, into a tentative hudget divided between the years 1911–1919, inclusive, in accordance with the figures returned under paragraphs 3, 4 and 5.

Coun. HALE—Mr. President, this order, which I have worked over for some time, incorporates two principles which I helieve in very strongly and which I am inclined to think that the City Council as a whole helieves in. The first one is that it is really not economy to save money hut to spend money wisely. I don't believe any city can advance without spending a great deal of money. I think the thing we want to avoid is the spending of money for purposes that are not wise or necessary, and that we should try to get our money's worth for the money we spend; but I am sure that the memhers will agree with me that we cannot have any real advance in the City of Boston unless we spend money. Every European city is willing to spend a large amount of money, and so are all our Western cities, and if Boston is going to advance we must get over this theory that the greatest economy is the saving of money. This attitude, of course, I can see is perfectly natural, hecausc in the past the City Council has wasted tremendous sums of money on unnecessary things, and has not insisted on getting a dollar's worth for every dollar spent. But that is no reason why we should go to the opposite extreme and congratulate ourselves simply hecause we issue no loans in a year. As I said at the last meeting, I don't think we are to hc congratulated hecause we do not spend money for a playground, for instance, when the fact that we do not do so this year involves our paying a much larger amount for the same thing five years from now. The second principle involved is that in spending money we have got to look at the matter as a whole. There has heen a tendency, I think last year especially, to congratulate ourselves upon not having a loan bill. While of course it

sounds very fine, and some of us feel that we ought to feel proud that there was not a loan hill, what does it mean? What it means is this, that we have taken up separate items and considered them on their merits, hut separately. I say that the merits of any particular loan really have very little to do with the question. Of course, we assume that the things for which we give money will he meritorious, all of them. That is preliminary, hut that is the whole matter. The important thing is to find out which are the most important things each year — not whether a particular playground is good or had, or whether we ought to have it or not, hut whether it fits in with the general scheme of improving the city; not whether a particular playground is good, hut whether it is the best thing, or whether the expenditure for some other improvement that is good for the whole city is more important. I think if the Finance Commission can work out this problem it will he of a great deal of assistance to us, hecause we have to have some experts do this sort of thing. None of us here have the time to fulfill the requirements of that order. Then we will know what are the most important things upon which to spend money in Boston, and we will have a plan which will advance Boston and not simply let it stand still. I hope very much that this order will go through and that we will get a reply soon, so that we can have some sort of program in mind.

The order was referred to the Executive Committee.

BUNKER HILL DAY.

Coun. McDONALD offered an order—That the President of the City Council appoint a special committee of five memhers of the Council to prepare a program for the celehration of Bunker Hill Day, June 17.

Passed.

TRANSFER OF PORTRAIT.

Coun. ATTRIDGE offered an order—That the Superintendent of Puhlic Buildings, with the approval of the Art Commission, transfer the portrait of Maj. Rohert Anderson from the Committee Room, City Hall, to Faneuil Hall, or such suitahle place as the Art Commission shall designate.

Referred to the Executive Committee. (See later in session under Executive Reports.)

PAYMENT TO MRS. DUFFY.

Coun. BUCKLEY offered an order—That under authority granted hy chapter 92, Acts of 1911, the sum of three hundred and fifty dollars he paid to Mrs. Catherine Duffy, widow of Charles Duffy, who died from injuries received while in performance of his duty as an employee of the City of Boston.

The order was read a second time, and the question came on its passage.

Coun. BUCKLEY—Mr. President, I simply present this order as chairman of the Committee on Claims, which committee heard the matter last year. It has heen heard hefore previous committees, hut the evidence was not always what it should have heen, was not always ahsolutely fair to the deceased; the result was that his widow never got this money. Last year the Committee on Claims, of which you yourself were a member, heard this claim, and we thought it a most meritorious one. But the Law Department would not approve of it at that time. Then Representative O'Donnell of Ward 6 had this bill presented to the Legislature, and it was passed. Now all we have to do is to adopt it to make this legal. I hope the order will be passed.

Coun. ATTRIDGE—Mr. President, I desire to ask Coun. Buckley, through you, if that has heen before the Committee on Claims this year?

Coun. BUCKLEY—Mr. President, it has not been before the Committee on Claims this year. I do not imagine that it is necessary that it should go hefore the committee this year. All we want to do now is to have the act of the Legislature accepted by the City Council of Boston, and then it hecomes legal, as I understand it. The facts of the matter are these, as I remember them. The deceased was an employee of the Sanitary Division, and one day in Decemher, 1908, was driving his wagon down by St. Mary's Church, in the North End, and the wagon heing pretty full he had to step on the shaft of the wagon. The horse stumhled and he was thrown to the ground and struck on the curhstone, the fall resulting in his death. He was a good, faithful employee of the city, always gave the hest that was in him to the city. We have passed orders like this before, the precedent has heen estahlished, and it seems hut fair that Mrs. Duffy should get this $350. We have been in the hahit of giving $1,000 in similar cases.

The order was passed.

RETIREMENT OF A. S. BUSWELL.

Coun. CURLEY, for the Committee on County Accounts, suhmitted the following:

(1) Report on the petition of Albert S. Buswell (referred March 6) for retirement as courthouse official—recommending the passage of the following:

Whereas, Alhert S. Buswell, an employee of the Municipal Court of the City of Boston for Criminal Business, Central, has applied for retirement under the provisions of chapter 459, Acts of 1910; and

Whereas, It appears from the certificate of the adjutant general that said Buswell is a veteran of the Civil War, and it further appears from the certificate of the chief justice of the Municipal Court of the City of Boston for Criminal Business, Central, that said Buswell has been in the service of the county for at least ten years, that his salary is now $1,700 per annum, and that he is incapacitated for active duty and has arrived at the age of sixty-five years; therefore he it

Ordered, That under the provisions of chapter 459, Acts of 1910, Albert S. Buswell, an employee of the Municipal Court of the City of Boston for Criminal Business, Central, he retired from active service, at the salary of $800 per annum.

Report accepted; preamble and order passed.

(2) Report on petition of proprietors of the Social Law Library (referred February 13) for the annual appropriation of $1,000—recommending the passage of the following:

Ordered, That there he allowed and paid to the proprietors of the Social Law Lihrary the sum of one thousand dollars for the maintenance and enlargement of said lihrary during the present year, said sum to he paid from the amount received from naturalization fees.

Report accepted; order passed.

REMOVAL OF STORE DIRT.

Coun. CURLEY offered an order—Section 1, Chapter 9, of the Revised Ordinances of the City of Boston, is herehy amended by inserting after the word "suhstances" in the seventeenth line the words "store dirt, paper, and comhustihle refuse from mercantile and manufacturing estahlishments." (See Document 167, 1910.)

Coun. CURLEY—Mr. Chairman, in relation to this particular order I wish to point out the fact that the custom has ohtained in this city since the city was chartered of removing from the stores and from the mercantile estahlishments the comhustihle waste, such as paper, excelsior and material of that character; that the purpose of government is to provide for the convenience, wellbeing and welfare of the puhlic generally: that there is no provision for the welfare or wellheing of the public generally in the position that is taken hy the Commissioner of Puhlic Works at the present time. That is so for this reason, that Boston has grown within the last twenty-five years, and to-day there are hut two or three so-called inland dumps where comhustible or waste material may be dumped; that those dumps are in control of certain individuals who have been able to exact a fairly respectahle amount for materials deposited there from the City of Boston or from private persons who may have a desire to dispose of any waste material. As the numher of dumping privileges has become less the price for the privilege of dumping has become greater, so that to-day, practically enjoying a monopoly, the New Haven road, controlling the only available dumping privilege where material of this character may be disposed of, exacts a trihute of 25 cents per douhle load and 15 cents for a single load, and will shortly he in a position, when the two remaining dumps are closed, to exact whatever charges it sees fit. It strikes me that the enforcement of the present

provision by the Department of Public Works is for the benefit of those persons who are interested in the so-called garbage contract that is at present under consideration. I don't know how it is under consideration, and I don't know how anybody can enlighten me as to how it is under consideration, because the proposition at present being considered by the commissioner and other individuals is a proposition that was never received in response to a competitive bid, and a contract involving an expenditure of more than $2,000,000 is of sufficient importance to warrant competition of the widest character. There might be some excuse for the enforcement of the provision if the city maintained at its own expense an incinerating plant where it would be possible for these storekeepers and mercantile establishments to send their combustible waste, but as matters stand at the present time they are confined to one inland dump, or have the privilege of buying a scow, if they see fit, and sending the refuse down the harbor. If they desire to burn stuff on a vacant lot, it is necessary to get a permit from the Board of Health, and undoubtedly abutting owners of property, neighbors, would speedily object to any amount of incineration on adjacent property without adequate protection. I believe in the enforcement of the law if it is going to be a benefit to the city, and if there were some place where the material might be destroyed, or where, until such time as the city maintains an incinerator, it would be possible to assess a fair charge for the destruction of the material, tbat would be one thing. But under the circumstances I believe we should continue the old custom. As I understand it, the city is committed, as most progressive cities are, to the policy of incineration of its combustible waste and to the use of its ashes for the reclaiming of land. But until such time as the city is in a position to meet the just requirements of the men who do business in the city, I believe we should amend the ordinance and permit the custom that has obtained in the past to continue to obtain. The contract at present existing between the City of Boston and the graft combination known as the New England Sanitary Product Company will in all probability continue in force until January, 1912. If the smooth gentlemen who are engaged in the proposition to milk the city better than it ever has been milked in its history succeed in getting through the proposition they are interested in at the present time they will be benefited by the enforcement of this provision, and they alone will be benefited, because then they will not have to handle combustible waste, the reclaiming value of which is somewhat questionable. They will be permitted to handle what, Mr. President? They will be permitted to handle garbage and they will be permitted to handle ashes. The ashes that they receive through the enforcement of this law will be free from combustible waste. Those ashes can be speedily sifted and the residue can be incinerated and it will make the best filling in the world. If it is to be used for other commercial purposes, it will be possible to do it. On the garbage itself it has been stated many times that under the present contract this company is clearing a profit of more than $100,000 a year, and, singular to relate, while this great big proposition, affecting vitally the welfare of the entire City of Boston, is being seriously considered in certain quarters where they have always been successful in carrying through any proposition in which they were interested, the Press of Boston with one notable exception—the Boston *Journal*—are very silent upon the matter. I want to say that I tip my hat to the representative of the Boston *Journal* in this City Hall. There is no man in this establishment who is more familiar with the inside of this or any other municipal proposition than that particular individual, and I believe if he were given free rein he could write an extremely interesting story of developments even up to the present time. I have no idea that this present proposition will be consummated while the membership of this Board continues of the high intellectual order that is represented here to-day, but I insist that on this proposition we have a duty to the public. It is all very well to assist the garbage promoters, who are out for the money, and who have always been successful in getting it in this town. I believe a former representative of my Congressional district referred to Boston as a piker town; somebody else has referred to it as an easy town. From the standpoint of the garbage people it has been the easiest town in the United States to milk. I don't think they will have as easy a row to hoe this year as in the past, but it behooves the members of this body and the Press of Boston to have an eye upon this particular proposition. It is not a question of saving a few dollars in the removal of combustible material that prompts the enforcement of this particular plan, but it has an eye to tbe future welfare of the garbage proposition. I sincerely trust that the Committee on Ordinances will see the light as it presents itself and will act for the best interests of the public generally.

President COLLINS—The Chair wishes to advise the members of the Council that, in view of the fact that a public hearing is to be given on this subject on Wednesday next, the Chair will depart from the usual rule and will refer this communica tion to the Executive Committee.

Coun. CURLEY—I am agreeable to that, Mr. President.

The order was referred to the Executive Committee.

SIDEWALKS, WALLINGFORD ROAD.

Coun. SMITH offered an order—That the Commissioner of Public Works construct granite edgestones and sidewalks in front of estates bordering thereon on both sides of Wallingford road, Ward 25, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone under the provisions of chapter 437, Acts of 1893.

Passed.

CITY REAL ESTATE, ETC.

Coun. HALE offered an order—That the Statistics Department be requested to supply the City Council with the following information:

1. The location and area of each parcel of real estate owned by the city.
2. The time when each such parcel was acquired by the city.
3. The price paid by the city for each such parcel.
4. The present assessed value of each such parcel.
5. The use now made of each such parcel.
6. The income to the city derived from each such parcel.
7. The buildings on each such parcel and the assessed value thereof.

Passed.

TREES IN CHARLESTOWN.

Coun. BUCKLEY offered an order—That the Superintendent of Public Grounds be requested, through his Honor the Mayor, to replace the trees cut down on Washington street, Charlestown, with other trees.

Passed.

RECESS TAKEN.

The Council voted, at 4.09 o'clock p. m., on motion of Coun. ATTRIDGE, to take a recess subject to the call of the President.

The members of the Council reassembled in the Council Chamber, and were called to order by the President at 5.25 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Reports on petitions (referred to-day) for permits for children under fifteen years of age to appear at places of amusement—that permits be granted, viz.:

Mrs. Franz E. Zerrahn, for children to appear at Boston Opera House March 23.

Morris Camberg, for children to appear at Ford Hall on April 16.

Mrs. Jeanie Irvine, for child to appear at Paul Revere Hall March 29.

Reports accepted; permits granted on the usual conditions.

(2) Report on order (referred to-day) that the Finance Commission prepare and submit to the City Council a plan for the development and advancement of the City of Boston from this date to January 1, 1920—that the order ought to pass.

Report accepted; order passed.

(3) Report on order (referred to-day) that the portrait of Major Robert Anderson be transferred from the committee room, City Hall, to such place as the Art Commission may designate—that the order ought to pass.

Report accepted; order passed.

(4) Report on message of Mayor and order (referred March 13) that the sum of $400 be expended under the direction of the Superintendent of Public Buildings for exhibition of views of public buildings at the Greater Boston Real Estate and Ideal Homes Exposition—that the order ought to pass.

Report accepted; order passed.

(5) Report on message, communication and order (referred to-day) that the sum of $1,500 be and hereby is appropriated to be expended by the Art Commission, under the direction of the Mayor, to meet the expenses of an exhibit at the Philadelphia City Planning Exhibition—that the order ought to pass.

Report accepted; order passed.

(6) Report on message of Mayor and communication (referred February 20) relative to the use of Governor's Island—recommending reference of same to special committee of three to be appointed by the President.

Report accepted; said recommendation adopted and reference ordered.

President COLLINS appointed as said committee Coun. McDonald, Ballantyne and Kenny.

(7) Report on message of Mayor, communications from the Commissioner of Public Works, contract relative to the disposal of garbage, etc. (referred to-day), recommending the return of said papers to his Honor the Mayor, with the request that they be returned by him to the Commissioner of Public Works, and that said commissioner be requested to advertise in at least the ten largest cities in the United States, so as to invite bids from all sections, and that contractors be invited in said advertisements to submit definite propositions for the disposal of garbage, refuse and combustible waste, by reduction, incineration or otherwise.

Report accepted; said recommendation adopted.

(8) Report on petition of the Old Colony Railroad (referred February 13) that the limits be prescribed within which land may be taken at Neponset for station purposes—recommending the passage of an order of notice for a hearing on April 3, at four o'clock p. m.

Report accepted; order passed.

PROTECTION OF PAINTINGS.

Coun. CURLEY offered an order—That the Superintendent of Public Buildings, through his Honor the Mayor, be requested to take the necessary steps to provide proper protection for paintings now hung at Faneuil Hall.

Coun. CURLEY—Mr. President, I would say in relation to this order that a similar order was introduced last year, but no action was taken upon it. The painting of Webster in Faneuil Hall, the painting of Washington, and the other paintings that are hung in that historic edifice, are priceless. It would be impossible to replace them. It is impossible to touch them up and restore them to their original colorings at any time. It is customary to hold conventions in Faneuil Hall, or allow the use of the hall for various public purposes. The smoke from cigars has a tendency to create a gas, perhaps, that has a tendency to destroy the colorings of those paintings. It strikes me, where they are of such tremendous value, and where it would be impossible to replace them were they destroyed, the city should undertake, at a reasonable and legitimate expense, the proper protection of those paintings. I believe it might be possible to inclose them in glass cases at no great outlay of money and preserve them for all time. I believe something should be done, and I trust that the Superintendent of Public Buildings will request the Committee on Appropriations to allow him sufficient money to provide adequate protection for those paintings.

Coun. BALLANTYNE—Mr. President, I heartily agree with Coun. Curley as far as the desirability of preserving the paintings in Faneuil Hall is concerned, but the question suggests itself to my mind, how are you going to protect them? Coun. Curley has mentioned the picture of Webster and has suggested that that might be inclosed in a glass case. I suppose Coun. Curley is familiar with the size of that picture. I cannot see how it would be possible to get a sheet of glass into Faneuil Hall large enough to cover the face of that picture. It would be an utter impossibility. There is no opening, either door or window, that would admit of a sheet of glass large enough to cover that picture, and I don't think it could be covered in any other way than by one sheet of glass. If the councilor has any plan in mind for protecting those pictures, I shall be glad to co-operate with him; but I cannot see how the suggestion of covering them with glass can be applied to such large pictures as that of Webster.

Coun. CURLEY—Mr. President, I do not desire to offer any suggestions. I merely say in order that I desire to have proper protection provided. As far as the question of covering the picture with glass is concerned, I suppose glass could be used to cover some of the smaller pictures in the building. I do not believe it would be possible to get a sheet of glass in Faneuil Hall large enough to cover the Webster painting, but it strikes me that some sort of isinglass of sufficient size might be provided to cover that, such as is used on the fronts of automobiles at the present time to take the place of glass shields. I am in favor of any proper protection that might be provided to cover the paintings themselves, and if that is not practicable, issue an order that there shall be no smoking allowed in the hall. I believe those paintings are worthy of protection. They are a natural source of interest to any person who has occasion to visit Boston from another city. In addition to that, there is the historic value and the associations that go with the pictures, and the value of the hall itself would be to a great extent destroyed or reduced if the paintings were obliterated. I believe some method can be devised to preserve and to protect them, and I sincerely hope that some method will be devised before it is too late.

The order was passed.

COMMITTEE APPOINTMENT.

President COLLINS announced the appointment of a special committee on branch libraries, as follows: Coun. Attridge, Smith, Buckley.

GENERAL RECONSIDERATION.

Coun. ATTRIDGE moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 5.38 o'clock p. m., on motion of Coun. BALLANTYNE, to meet on Monday, March 27, at three o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Wednesday, March 22, 1911.

Special meeting of the City Council, held in the Council Chamber, City Hall, at four o'clock, p. m., President COLLINS presiding and a quorum present, for the purpose of drawing jurors under the provisions of chapter 514, Acts of 1894, viz.:

Forty-one traverse jurors, Superior Criminal Court, to appear April 5, 1911:

John J. O'Neill, Ward 20; John Jacobs, Ward 22; John Lyons, Ward 7; Charles F. McMahon, Ward 13; John B. Reardon, Ward 11; David McDonald, Ward 19; Thomas J. McCarthy, Ward 12; James T. Wetherald, Ward 11; J. Henderson Allston, Ward 12; Frank Houghton, Ward 21; Samuel Cline, Ward 8; William H. Harty, Ward 20; John E. Murphy, Ward 17; Bernard J. Devine, Ward 13; Daniel D. McPherson, Ward 22; Weldon L. Crosman, Ward 9; John B. Conley, Ward 18; Frederick G. Bauer, Ward 23; James A. Stewart, Ward 2; Louis E. W. Watts, Ward 8; Jefferson L. Harbour, Ward 20; William E. A. Clough, Ward 23; Henry Schrepel, Ward 22; Patrick F. Lydon, Ward 14; Benjamin F. Wooley, Ward 25; Edward J. McMulkin, Ward 12; Willis D. Rich, Ward 22; Frederick W. Klemm, Ward 21; Charles B. Ackler, Ward 12; George H. Peiper, Ward 23; William H. Keeden, Ward 9; Daniel J. Morrison, Ward 10; David McInnis, Ward 1; John H. Sharpe, Ward 20; Frank S. Boyd, Ward 24; Hubert A. Lopez, Ward 20; Frank P. Godette, Ward 25; Henry F. Hastedt, Ward 13; Morris Simon, Ward 22; Alexander M. Clow, Ward 14; Matthew Redmond, Ward 19.

Adjourned at 4.12 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 27, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair, and all the members present.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last two meetings.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments, viz.:

(1) Robert N. McClellan (24 Gay Head street, Ward 22), a Constable of the City of Boston for the term ending April 30, 1911.

(2) Emanuel A. Shaw (130 Cedar street, Ward 24), a Weigher of Coal and a Measurer of Wood and Bark for the term ending April 30, 1911.

Laid over under the law.

REMOVAL OF WASTE, ETC.

The following was received:

City of Boston,
Office of the Mayor, March 27, 1911.

To the City Council:

I beg to recommend the passage of the accompanying ordinance, amending section 1 of chapter 9 of the Ordinances of 1910 by inserting after the word "substance" in the seventeenth line the following words: "and may when requested by the proprietors or managers thereof remove empty boxes, packages, packing and other store refuse from shops, stores and warehouses at the reasonable cost of such removal, all moneys so received to be used in paying the expenses incurred by the department in said removal."

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston.
In the year Nineteen Hundred and Eleven.
An Ordinance
Amending Section One of Chapter Nine of the Ordinances of 1910.

Be it ordained by the City Council of Boston, as follows:

Section one of chapter nine of the Ordinances of 1910 is hereby amended by inserting after the word "substances" in the seventeenth line the following: "and may when requested by the proprietors or managers thereof remove empty boxes, packages, packing and other store refuse from shops, stores and warehouses at the reasonable cost of such removal, all monies so received to be used in paying the expenses incurred by the department in said removal," so that said section, as amended, shall read as follows:

Section 1. The department of public works which is hereby established shall be under the charge of the commissioner of public works, who shall be a civil engineer of recognized standing in his profession; who shall construct all streets and sewers; shall have discretionary power as to the grades, materials and other particulars of construction of streets, sidewalks and sewers; shall have charge of and keep clean and in good condition and repair the streets, all sewer systems under the control of the city and the catch-basins in the streets connected with the sewers; shall keep the streets properly watered; shall remove from yards and areas, when so placed as to be easily removed, all ashes accumulated in the burning of materials for heating habitations, cooking and other domestic purposes, house dirt, house offal, and all noxious and refuse substances; and may when requested by the proprietors or managers thereof, remove empty boxes, packages, packing and other store refuse from shops, stores and warehouses at the reasonable cost of such removal, all monies so received to be used in paying the expenses incurred by the department in said removal; shall, on the fifteenth day of each month, send to the city auditor detailed bills of all material, tools and machinery furnished by either of the divisions of said department to any other such division or for any special work.

Referred to the Committee on Ordinances.

(See report of Committee on Ordinances.)

FOOTBRIDGE, DOVER STREET.

The following was received:

City of Boston,
Office of the Mayor, March 27, 1911.

To the City Council:

I beg to transmit a communication from the secretary of the Joint Council of International Brotherhood of Teamsters, Chauffeurs, Stablemen and Helpers of America, requesting that a footbridge be placed on Dover street while the drawbridge on that thoroughfare is being repaired.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

International Brotherhood of Teamsters,
Chauffeurs, Stablemen and Helpers of America,
March 22, 1911.

Hon. John F. Fitzgerald:

Dear Sir,— At a meeting of the Boston Joint Council of Teamsters held this eve the delegates voted as a request that a footbridge be placed at Dover street while drawbridge is being repaired, being a necessity to hundreds of our teamsters who have cause to use the same in coming and going to their work.

JEAN MEEHAGAN,
Secretary Joint Council of Teamsters.
37 Essex Street, Charlestown.

Referred to the Committee on Appropriations.

SIDEWALKS, WALLINGFORD ROAD, VETO.

The following was received:

City of Boston,
Office of the Mayor, March 27, 1911.

To the City Council:

I beg to return, without my approval, an order passed by your honorable body on March 20 requesting that edgestones and sidewalks be constructed in front of estates bordering on both sides of Wallingford road, Ward 25, for the reason contained in the appended report of the Commissioner of Public Works, which indicates that the city may not legally perform such work upon this street.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Public Works Department,
Highway Division,
Boston, March 23, 1911.

Mr. Louis K. Rourke,
Commissioner of Public Works:

Sir,—I return herewith the order of the City Council for the construction of sidewalks on Wallingford road, Ward 25, and would state that this is a private way and must be acted upon by the Street Commissioners.

The estimated cost of constructing Wallingford road under the "393" act is $20,400, which was submitted to the Board of Street Commissioners last summer.

Yours respectfully,
JAMES H. SULLIVAN, Division Engineer.

—

March 24, 1911.

Respectfully referred, with inclosure, to the honorable the Mayor.

L. K. ROURKE,
Commissioner of Public Works.

Placed on file.

PROTEST AGAINST RAILWAY FREIGHT CARS.

The following was received:

City of Boston,
Office of the Mayor, March 27, 1911.

To the City Council:

I beg to transmit a communication from the secretary of the South Boston Citizens Associa-

tion relating to the service of the Boston Elevated Railway in South Boston, and opposing the granting of the privilege of adding freight and express cars to this service until needed changes are made in caring for passengers.

Respectfully,
JOHN F. FITZGERALD, Mayor.

South Boston Citizens Association,
South Boston, March 20, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston:

Dear Sir,—At a meeting of the South Boston Citizens Association held the 16th inst., the following resolutions were adopted, viz.:

Resolved, That the service of the Boston Elevated Railway, so far as South Boston is concerned, is less efficient than ever; the sidetracking of cars at Dorchester street has become a public nuisance.

The cars now running into the subway from here are of very little accommodation to the residents, the Huntington avenue or Back Bay line, no better.

We are opposed to granting the privilege of adding freight and express cars to this poor service until needed changes are made in caring for passengers, and would again recommend the immediate improvements in this direction which we have so many times called to the attention of the president and other officials; that all cars running to and from South Boston start from City Point and return there; that the Field's Corner and Meeting House Hill lines start from Dorchester street and return there, and not to cross Broadway; that suitable shelters be provided for waiting patrons; that time tables be provided and put in conspicuous places that people can see and read them; more frequent trips on all lines.

We respectfully urge his Honor the Mayor and City Council not to grant the permission to allow the carrying of freight and express packages at all until these much needed and absolutely necessary changes are made.

Resolved, That a copy of these resolutions be sent to his Honor Mayor Fitzgerald and the honorable City Council and the president and directors of the Boston Elevated Railway.

Yours truly,
HENRY J. D. SMALL, Secretary.

Referred to the Executive Committee.

PLANS FOR NEW CITY HALL.

City of Boston,
Office of the Mayor, March 27, 1911.

To the City Council:

I beg to transmit a communication from George H. Ingraham, Esq., relating to a plan which he has made for building a new City Hall on property occupied by the Natural History Building and the Massachusetts Institute of Technology.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Boston, Mass., March 20, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—I have a matter which I should like to bring to your attention, and which I discussed with your secretary, and at his suggestion I am putting the information in writing. I left with him a scheme for building a new City Hall on the property occupied by the Natural History Building and the Institute of Technology. You are aware that the Institute of Technology is interested to sell its present property and move to a new site, but one of the restrictions on the present property on Boylston street is that the abutters have certain legal rights so that the property cannot be built except on one-third of the area. This, of course, hampers the sale of the property for business purposes. In building a building of the character of a City Hall it would, of course, be necessary to have some grounds around the building to set it off. If this property was taken by the city, the city would benefit the Massachusetts Institute of Technology in disposing of its site. As other cities have been endeavoring to take away from Boston the Institute of Technology, it seems to me that the City of Boston should make every effort to retain the institute in our city. It, therefore, seems to me that the site occupied by Technology and the Natural History Building is an admirable location for a new City Hall in view of the fact that the business of Boston is gradually extending into this section; also, there is a possibility of the Boylston Street Subway being built, enabling a City Hall station to be made in connection with the new building, and the new building would also be very near the geographical center of real Boston. I left a suggestive sketch with your secretary, showing the size of the building which could be built on one-third the area of this property; also, in connection therewith, the area of the present City Hall, and an elevation of the City Hall from Boylston street. These are mere suggestions, and if the building was built on this property, further studies of plans, details and elevations would be necessary. I might also add that the tower contemplated on this new building would be in such a position to be almost directly on the axis of Huntington avenue, so that one could obtain a vista down Huntington avenue from this tower.

In regard to the expense of this proposition, I have worked this out on the assessed values of the new site, and the present property occupied by the city in and about City Hall, which I have figured out on the inclosed sheet, showing an extra cost to the city for the new building of $454,600, taking the proposed improvements on the present old Court House Building as $800,000.

I simply submit this for your consideration as a possible solution of the question of the City Hall for the City of Boston, and a benefit also to the Massachusetts Institute of Technology, and not with any idea of trying to secure the commission for the building, although if the project was considered favorably by the city, I should expect to be shown the proper courtesy for the suggestion.

Yours very truly,
GEORGE HUNT INGRAHAM.

Assessed values on new site:

Natural History Building	$1,100,000
Technology Buildings	2,260,000
	$3,360,000

Assessed values of old property:

Station No. 2	$115,000
Old Court House	1,025,500
Old Probate Building	166,100
City Hall	2,100,000
30 Tremont street	198,800
	$3,605,400

Assessed value of new site	$3,360,000	
Cost of new building	1,500,000	
		$4,860,000
Assessed value of old property	$3,605,400	
Proposed improvements	800,000	
		4,405,400
Extra cost to city for new building		$454,600

Referred to Committee on Appropriations.

RETURN OF PAPERS, DISPOSAL OF REFUSE.

The following was received:

City of Boston,
Office of the Mayor, March 27, 1911.

To the City Council:

In compliance with the recommendation of the Executive Committee accepted by your honorable body at its meeting of March 20, I have returned the papers relating to a proposition of the Boston Disposal Company to the Commissioner of Public Works and communicated to him your request that he advertise in "at least the ten largest cities in the United States so as to invite bids from all sections."

The commissioner has prepared a statement calling attention to certain legal aspects of the recommendations accepted by you, which is transmitted herewith, together with the original papers.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Public Works Department,
March 27, 1911.

To the Honorable the Mayor:

In connection with the attached communication from the Executive Committee of the honorable City Council, I beg to say that I am rather surprised that a matter of such vital importance as the disposal of the city refuse was not given more consideration. The problem of the disposal of city

refuse strikes me as the most important problem which this administration has to settle. This is a matter which vitally affects the health and comfort of the inhabitants of Boston.

I would respectfully call your attention to section 6 of "An Act Relating to the Administration of the City of Boston and to amend the Charter of the Said City," passed in 1909. Said section provides that "no contract . . . for the collection, removal or disposal of refuse, extending over a period of more than one year from the date thereof, shall be valid without the approval of the mayor and the city council after a public hearing held by the city council, of which at least seven days' notice shall have been given in the *City Record*." It would certainly seem to me that the proposal of the Boston Disposal Company was serious enough to warrant the honorable City Council in complying with section 6 of said act and giving a public hearing on the matter before rejecting the proposal of said company. Further, in connection with the recommendation of the Executive Committee, said committee recommends that the Commissioner of Public Works "be requested to advertise in at least the ten largest cities in the United States, so as to invite bids from all sections, and that contractors be invited in said advertisements to submit definite propositions for the disposal of garbage, refuse and combustible waste, by reduction, incineration or otherwise." In connection with this recommendation, I would respectfully call the attention of the honorable City Council to section 29 of said act, which provides that all advertising in connection with contracts for work, etc., shall be done exclusively in the *City Record*.

Respectfully yours,
L. K. ROURKE,
Commissioner of Public Works.

Referred to the Executive Committee.

DESTRUCTION OF MOTHS.

The following was received:

City of Boston,
Office of the Mayor, March 27, 1911.

To the City Council:

Owing to the demands that have been made by citizens' associations and others for a more effective treatment of the gypsy and brown-tail moth problem, I desire to recommend that the sum of fifteen thousand two hundred dollars ($15,200) be added to the appropriation for the Public Grounds Department. A letter of the Superintendent of Public Grounds, appended hereto, gives this figure as his estimate of the cost of purchase, equipment and maintenance of five spraying machines.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Public Grounds Department,
March 27, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

Dear Sir,—In compliance with your suggestion to submit an estimate of the cost for additional equipments for effectually suppressing the gypsy and brown-tail moths, I beg to say that the purchase of five new high power spraying machines, fully equipped, horses, labor, spraying material, etc., will require fifteen thousand two hundred dollars ($15,200).

Respectfully submitted,
D. H. SULLIVAN, Superintendent.

Referred to the Committee on Appropriations.

GENERAL IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, March 27, 1911.

To the City Council:

The recent payment of a check for nearly a half a million dollars into the city treasury by the executors of the late Quincy A. Shaw estate leads me to suggest that the time is ripe for a broad general plan of improvements to meet the urgent demands in the different sections of the city. In my opinion the sum of one million dollars ($1,000,000) might be profitably spent in this manner.

I would emphasize particularly the need of playgrounds, civic centers, convenience stations and drinking fountains in the following list, which I submit for your consideration.

East Boston:
- Branch library.
- Public landing.
- Courthouse and police station.

Charlestown:
- Branch library.
- Courthouse and police station.
- Playground, Ward 5.
- Indoor bath house, Ward 3.

North and West Ends:
- Branch library, Ward 6.
- Convenience stations and drinking fountains, Ward 8.

South End:
- Playground and civic center, Wards 7 and 9.
- Convenience station and drinking fountain, Washington and Dover streets.

South Boston:
- Municipal building.
- Sanitary and locker building, Strandway Playground.

Roxbury:
- Municipal building near Dudley Street Terminal.
- Convenience station near Vine Street Church.
- Enlargement of Orchard Park.
- Playground on Parker Hill.
- Fire protection for Parker Hill.
- Drinking fountains in congested districts.

Dorchester:
- Playground on Meeting House Hill.
- Open-air gymnasium on Franklin Field.
- Police station.
- Convenience stations at Upham's Corner and Field's Corner.

West Roxbury:
- Remodeling of Curtis Hall.
- Playground, Jamaica Plain.
- Playground, Forest Hills,
- Civic center, West Roxbury.

Brighton:
- Fire station, Oak square.
- Civic center.

For some of these items appropriations already exist, namely:

East Boston:
- Courthouse and police station.

Charlestown:
- Branch library.
- Bath house.

Roxbury:
- Playground on Parker Hill.

West Roxbury:
- Remodeling of Curtis Hall.

Transfers might also be made from the two loan appropriations for Bathing Establishment, Ward 15, and Land and Buildings, Sanitary and Street Cleaning Division, Dorchester, as these two appropriations have lain dormant for many years. By drawing upon the borrowing capacity of the city to the amount of about four hundred thousand dollars ($400,000), and using the income received from the Quincy A. Shaw estate, a round million would be available for the carrying out of this program. Estimates could readily be obtained from the departments affected and the items for different sections might be so correlated as to blend into a harmonious scheme.

Should your honorable body see fit to adopt this suggestion and through its committees to prepare such a careful report as the importance of the subject demands, I shall be glad to make the necessary recommendations for appropriation orders, when I have been favored with a statement of your views.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Coun. CURLEY—Mr. President, I was going to suggest in this connection that it might be a good idea to consider the advisability of erecting an annex to City Hall that might be used for an office building, and, if a name is necessary to apply to it, that it might be called the "Shaw Memorial," or the "Conscience Fund Office Building," or something of that nature. In connection with this recommendation, which bears practically upon the return of some four hundred odd thousand dollars by the executors of the Shaw estate, I desire to say just a word, which I believe might be considered seriously by the members of this body. The executors of the estate of the late Quincy A. Shaw—Messrs. Francis C. Welch, Quincy A. Shaw, Jr., and Robert F. Herrick—have been guilty, upon their own

voluntary admission, of the concealment of the assets of the said estate, for the purpose of defrauding the City of Boston of just and rightful taxes. Compare the position of these eminent gentlemen with the debtors marshaled in the United States Bankruptcy Court, charged with a similar offence. I beg to quote from section 29 of the United States Bankruptcy Law:

"A person shall be punished by imprisonment for a term of two years, upon conviction of the offence of having knowingly and fraudulently concealed, while a bankrupt, or after his discharge, from his trustee, any of the property belonging to his estate in bankruptcy, or of having made a false oath or account in relation to any proceeding in bankruptcy," while "a trustee in bankruptcy is equally liable to the same punishment for having received any material amount of property from a bankrupt, after filing of the petition, with intent to defeat this act."

Gentlemen, I beg you to note the parallel between the return of this money by the Shaw estate and the system with relation to bankrupts in the United States Courts. I should like to ask by what right and under what authority do the Finance Commission and its acrobatic chairman assume the position of self appointed confessors for erring millionaires who have defrauded the city and then subsequently assume the position of agents in making restitution to the City of Boston? The concealment of assets of the estate of the late Quincy A. Shaw by the executors, for the purpose of defrauding the city of just and rightful taxes, having been clearly proven, the Finance Commission files a report filled with legal verbiage and the flimsy claims enumerated by the executors, but has not one slightest word to urge in the way of securing the punishment of the said executors for such defrauding of the city—although in previous cases, for small embezzlements, it had shown a very marked persistency in aiding in securing convictions. The report of the Finance Commission declares: "They (the executors) also desired to furnish the assessors no more information than they were obliged to give." By what moral or legal right did the executors assume a position which would defraud the city of its just taxes? Quincy A. Shaw, who died at the age of 83, had for many years been a notorious tax dodger, and had defrauded the City of Boston of thousands of dollars. It is not an unfair presumption to assume that for many years he had been guilty of practicing frauds, under oath that robbed the City of Boston of $250,000 annually, while standing as a philanthropist and man of great honor and probity in the community. If John A. Sullivan stated to the City Treasury Department of the City of Boston that the payment of the sum of $492,020, in behalf of the executors of the late Quincy A. Shaw, was to be presumed as closing the transaction, there is evidence at hand of the compounding of a felony; and every official or employee of the City Treasury Department to whom such statement, or any part thereof, was made should be summoned before the Grand Jury of Suffolk County and upon oath be examined as to the same. There is the establishment of a very dangerous precedent in the assumption by the Finance Commission of the position of agents to make restitution to the City of Boston of that of which it has been defrauded. There is no warrant under law for such assumption, and the Finance Commission was appointed for no such purpose. There appears to be no question of fact whatever in relation to this defrauding of the city. The executors by their false inventory were knowingly practicing a deliberate fraud upon the city, which deserves the most searching investigation by the District Attorney of Suffolk County, and that the collusion, if proven, to the grand jurors may be adequately punished. A collusion for the concealment of property has been clearly proven by voluntary acts. A very dangerous precedent has been established, and the fullest investigation is merited by the District Attorney of Suffolk County that the evasion of the law may be suitably punished. I believe that his Honor John F. Fitzgerald is deserving of great credit for the return of this $400,000. He has performed a great public service, one that merits the commendation and the good will of every man. I believe that if the Shaw Memorial Building were constructed on the site of the old courthouse it would stand as a fitting monument of civic honor and civic virtue and to the return of stolen property.

The communication was referred to the Committee on Appropriations.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named:

Claims.

Timothy J. Dacey, for a hearing on his claim for damages to his automobile.

Metropolitan Coal Company, to be paid amount deducted for alleged shortage in cargo of coal delivered at Penal Institutions Department.

Executive.

Petitions for permits for children under fifteen years of age to appear at various places of amusement, viz.:

Charles N. Woodbury, for children to appear a Appleton M. E. Church on March 28.

Horace M. Farrow, for children to appear a Bethel M. E. Church on evening of March 30.

Fred Thompson Bridge, for children to appear at Jordan Hall on May 12.

Ernst F. Kimstler, for children to appear at Jordan Hall on May 1.

Boston Disposal Company, for public hearing on contract submitted for disposal of garbage.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted by the Secretary of the Commonwealth were received.

Placed on file.

NOTICE OF HEARINGS.

Notices of hearings were received from the Railroad Commissioners on petitions of West End Street Railway Company for approval of 334th and 345th locations, said hearings to be given on March 29 and March 31, respectively.

Placed on file.

ADMISSION TO AGRICULTURAL SCHOOL.

Notice was received of the application of Thomas N. Conway, of Dorchester, for admission to Agricultural School, Northampton.

Placed on file.

NOTICES OF APPOINTMENTS.

Notices were received of the following appointments by the Mayor, said appointments being filed with the City Clerk and delivered to the Civil Service Commissioners, viz.:

John J. Murphy as Assessor; William M. Murphy as Bath Trustee; Edward F. McSweeney as Consumptives' Hospital Trustee; Samuel H. Durgin as Health Commissioner; William F. Kenney as Library Trustee; Robert S. Peabody as Park Commissioner; Charles Logue as Schoolhouse Commissioner; James W. Dunphy as Sinking Funds Commissioner; Max E. Wyzanski as Sinking Funds Commissioner; Timothy J. Falvey as Hospital Trustee; Gaspare Di Cola as Trustee for Children.

Placed on file.

WIRE LOCATION.

A copy of an order was received from the Street Commissioners granting permission to the New England Telephone and Telegraph Company of Massachusetts to attach wires and fixtures to one pole of the Charlestown Gas and Electric Company of Boston on Edgeworth street, Charlestown.

Placed on file.

ADDITIONAL FIRE PROTECTION.

The following was received:

Boston Finance Commission,
410–416 Tremont Building,
Boston, March 22, 1911.

To the Honorable the Mayor and City Council:

Gentlemen,—On August 17, 1910, shortly after the fire on Albany street, in the lumber district so called, the Mayor requested the Finance Commission to consider and report upon the following questions relating to the protection against fire in the City of Boston.

1. The establishment in the business district of a high pressure water service.
2. The strengthening of the laws relating to building construction.
3. The establishment of another fire signal station, to be used if fire should impair or destroy the efficiency of the present station.
4. Whether it is necessary to appoint one hundred more firemen.

The commission submits herewith its report upon these subjects.

1. High Pressure Water Service.

The City of Boston is in some respects well protected against fire losses. The fire department force is a good one, the buildings in the city are low as compared with buildings in other large cities in the United States, notably New York, and the water supply is ample. There is now for the protection of a portion of the business district a high pressure service, supplied from salt water mains, operated with the aid of fireboats. These salt water mains extend from Central Wharf through Central street, Exchange place, Post Office square and Congress street to Congress Street Bridge. Moreover, Boston is surrounded with cities and towns which in the past have furnished valuable aid in extinguishing fires in Boston, and the future co-operation of such municipalities should be taken into account in considering any addition to Boston's fire-fighting equipment.

On the other hand, many dangers exist. Many of Boston's streets are narrow, particularly in the business district; there are many old structures in this district that are not of fireproof material; there are many danger spots along the water front; and there are great areas in the residential sections filled with tenements and apartment houses that have been constructed with little regard to the possibilities of destruction by fire.

The cost of providing a high pressure service for parts of the city outside the business district would be so great that it ought not to be considered. The fact that the city's net indebtedness, including its share of the state and metropolitan district debts, was $116,259,993.37 on November 30, 1910, practically prohibits the borrowing of the additional millions that such an undertaking would require. Moreover, the improvement of the building laws in the residential sections, together with the provision of additional ordinary fire apparatus, may solve the problem of fire protection in these sections without recourse to the costlier plan of furnishing a high pressure water service.

The commission believes that the city's financial condition does permit present consideration of the far less expensive establishment of a high pressure water service in the business district. In considering the need of this service the commission has had the benefit of the opinions of several engineers, including Frank A. McInnes of the Department of Public Works, Guy C. Emerson, engineer for the commission, formerly Superintendent of Streets, and George W. Booth, an engineer of the National Board of Fire Underwriters; of F. E. Cabot, the secretary of the Boston Board of Fire Underwriters; of Benjamin W. Wells and Samuel D. Parker, former Fire Commissioners; and of Charles D. Daly, the present Fire Commissioner; and it has concluded that such service should be provided.

In reaching this conclusion the commission has considered the many elements of danger in the business district, such as the narrow streets, the few open areas, the close formation of the lines of buildings on the various streets, the presence of many nonfireproof buildings and the faulty construction of many buildings and wharves from the standpoint of fire risks; and also the great value of the buildings in the district, the immense amount of business transacted there, the great direct loss that would result from a conflagration and the even greater loss to capital and labor that would follow upon the temporary suspension of business in this center of commercial and industrial activity. The commission has also considered the additional taxable values that would result from the improved system of fire protection and the prospect of increased revenue for the city as a substantial offset to its expenditure for the benefits conferred upon the property owners in the district.

The bill introduced by the Mayor, and now pending in the Legislature (Senate 295), seems well adapted to secure the proper establishment of the service in question. Though it does not, in terms, limit the service to any particular section of the city, it is intended to apply only to the business district, and the total amount of the loans authorized in the bill, $1,000,000, practically confines the service to that district. The bill also insures continuous construction until the work is completed, as consecutive annual loans are provided for; and the total cost of the work may be kept within proper limits by the award of contracts after public competition for 85 per cent of the cost of construction as the bill requires. The bill also provides that the act shall not take effect until it is accepted by the Mayor and City Council, a provision not only desirable from the standpoint of the city's interests but also necessary in order to fix definitely upon the city government the responsibility for the debt which the execution of the work entails.

If the act is passed by the Legislature and accepted by the Mayor and City Council the plan prepared by the late City Engineer, William Jackson, and the less expensive plan suggested by former Fire Commissioner Benjamin W. Wells should be considered before the contracts for the work are awarded, and the less expensive plan adopted if it seems to afford adequate protection. The Finance Commission does not pass upon the respective merits of the two plans but simply suggests their careful study in the interest of economy.

The routes covered by these plans, the estimates of cost, with the comments of the Finance Commission's engineer, appear in an appendix hereto annexed.

2. Strengthening the Building Laws.

This question is one which should be studied by experts in the building trades, architects, real estate owners and insurance men, aided by a competent lawyer familiar with the building laws. Since the Finance Commission was requested by the Mayor to examine this question, he has appointed a special commission to study the question. This special commission has undertaken the work and has prepared a bill which has been submitted to the Legislature, and is now under consideration. The Finance Commission, therefore, feels that it has been relieved of this task, one which it could not have performed without the aid of persons having special knowledge of the problems involved, such as the Mayor has appointed as members of the special commission.

3. Auxiliary Fire Signal Station.

The present Fire Commissioner stated to the Finance Commission that in his opinion the present station will be safe hereafter, as the fire hazard caused by the proximity of the old Fire Department repair shop has been eliminated by the destruction of that building, in place of which a new fireproof building is being constructed. In this opinion representatives of both the Boston and the National Board of Fire Underwriters concurred. The Finance Commission believes, therefore, that an auxiliary fire signal station will not be necessary.

4. The Appointment of 100 more Firemen.

The present Fire Commissioner believes fifty instead of 100 more firemen will be sufficient, and in this opinion the Finance Commission concurs.

The commission recommends:

1. That the Mayor's bill pending in the Legislature, providing for a high pressure water service (Senate 295), be passed in its present form.
2. That upon enactment it be accepted by the Mayor and City Council.
3. That the plan of the late City Engineer and that of the former Fire Commissioner be studied, and the better one adopted before the contracts for the work are awarded.
4. That no auxiliary fire signal station be provided.
5. That not exceeding fifty additional firemen be appointed.

Respectfully submitted,
THE FINANCE COMMISSION,
by JOHN A. SULLIVAN,
Chairman.

—

APPENDIX.

The Finance Commission:

Gentlemen,— According to your instructions I submit herewith estimated cost of installing high pressure systems for fire protection in the congested business district of the city, according to the two plans so far outlined, namely, the plan devel-

oped by former City Engineer, William Jackson, and the plan outlined hy former Fire Commissioner, Benjamin W. Wells.

The plan of Mr. Jackson contemplates the laying of pipe for fire service in practically all of the main streets in the area hetween Beach street and Hanover street, and between Tremont street and Atlantic avenue, with a small additional area in the West End. This plan contemplates a pumping station situated near the Boston end of Camhridge Bridge, taking water from the Charles River Basin. A total length of 62,440 feet of pipe will be needed, with 340 hydrants. The estimate of the Division Engineer of the Department of Puhlic Works for the cost of the system is $1,000,000. This estimate seems to me to allow an unnecessarily large amount for contingencies, and, in my opinion, the work outlined should be done for not exceeding $850,000.

The plan of Mr. Wells contemplates the location of a pumping station on the Charles River Basin near Mt. Vernon street, a pipe leading across the Common, along Tremont street, down Winter and Summer streets, through High street, connecting with the present auxiliary fire main in Congress street. In addition to the route outlined, pipes are contemplated in Boylston, Mason, West, Temple place, Bromfield and School streets, hetween Tremont and Washington street; also a pipe through Bedford street, hetween Washington street and Summer street. This plan would furnish a line of fire protection across the city, and would give additional protection to the retail shopping district. A total length of approximately 15,000 linear feet of pipe, with seventy hydrants, will be needed, and the estimated cost by Mr. Wells is $365,000. My own estimate practically confirms Mr. Wells's figures, heing $355,000. It will be noted that the comparative cost of the two plans is not in direct proportion to the number of linear feet of pipe contemplated, the larger cost per linear foot of the Wells plan being on account of the large cost of pumping stations which are common to each plan, and on account of the greater percentage of large sized pipe in the Wells plan.

The plan, as outlined hy Mr. Wells, seems to me defective in crossing the common. It would be hetter to go around the Public Garden, through Arlington street, as contemplated in Mr. Jackson's plan, as a considerable area along Boylston street and about Park square will be furnished with fire protection, and the cost would not be greatly larger than by the route proposed.

The plan of Mr. Jackson shows a considerable length of large sized pipe in Camhridge and Green streets which does not seem to be absolutely necessary at the present time. The object of this pipe is probably to furnish a circulation of water in hoth directions from the pumping station and possibly to allow the laying of smaller pipes than would otherwise be used. I am of the opinion that a large portion of this pipe could be safely omitted from the plan and the present station at Central Wharf utilized to furnish additional pressure, if hy any chance the pumping station should not be ablc to do so through one line of pipe.

Respectfully submitted,
GUY C. EMERSON,
Consulting Engineer.

Placed on filc.

CLERK HIRE.

In accordance with the provisions of section 33, chapter 22, of the Revised Laws, W. T. A. Fitzgerald, Registrar of Deeds, suhmitted a list certifying that persons had heen employed in his office from February 20 to March 27, 1911, and that work had heen performed to the amount of $4,043.30.

Referred to the Committee on County Accounts.

MINORS' LICENSES.

President COLLINS submitted petitions for minors' licenses for twenty-four newshoys, three boothlacks and two vendors—recommending that licenses be granted.

Licenses granted on the usual conditions.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up unfinished business Nos. 1 and 2, viz.:

Action on appointments submitted by the Mayor March 20, 1911, viz.:

1. Samuel C. Lawrence and Walter M. Stone to be Constables of the City of Boston for the term ending April 30, 1911. (To serve without honds.)
2. Neil MacDonald to be a Weigher of Coal for the term ending April 30, 1911.

The question came on confirmation. Committee, Coun. Hale and Ballantyne. Whole number of ballots cast 6, yeas 6, and the appointments were confirmed.

CHARGE TO RESERVE FUND.

Coun. BUCKLEY offered an order—That the sum of $350 authorized to be paid to Catherinc Duffy by the order of the City Council, approved March 21, 1911, he charged to the appropriation for Reserve Fund, when madc.

Passed.

HALF HOLIDAYS, PUBLIC WORKS EMPLOYEES.

Coun. BUCKLEY for Coun. Curley offered an order—That under the provisions of chapter 587 of the Acts of 1908 the Puhlic Works Commissioner be authorized to allow half holidays on Saturdays to all employees whose services can he dispensed with, without loss of pay, during the present financial year.

Referred to the Executive Committee.

CURTIS HALL OPENING.

Coun. KENNY offered an order—That the Superintendent of Puhlic Buildings be requested, through his Honor the Mayor, to inform this Council, at his earliest convenience, as to when Curtis Hall is to he opened to the puhlic for use as municipal building, lihrary, etc.

Coun. KENNY—Mr. President, last July the Council authorized a loan of $60,000, if I remember correctly, for the completion of Curtis Hall. At that time the architect having the huilding in charge urged speedy action and stated as his reasons that if the money was appropriated they would be enahled to go forward with the work and construct a heating plant outside of the main huilding which would enahle them to open the lihrary, which was then finished, in the fall. I went out yesterday afternoon and looked over the Curtis Hall grounds, and I was amazed to find things in the condition in which they are. The lihrary has not yet heen opened. Although that money was authorized last July on the theory that speedy action was called for so that they might have the lihrary opened in the fall, the lihrary is still closed and the whole thing out there is chaos. It seems to me it is time for the Council to know definitely from the Building Department what is going on out there and when the hall will be finished.

The order was passed.

VISIT TO NORFOLK STREET.

President COLLINS offered an order—That his Honor the Mayor and the Executive Committee of the City Council visit Norfolk street, Dorchester, when looking over the various streets for widening, improvement, etc.

Passed.

CITY LIGHTING.

Coun. ATTRIDGE offered an order—That the accompanying communication from the Finance Commission to the Mayor and City Council, and orders and remarks of members of the City Council relative to city lighting, he printed as a puhlic document to accompany the remarks of the Commissioner of Puhlic Works in regard to new bids which have heen received by him for the lighting of the city streets, and which may he suhmitted hy him to the City Council.

(Annexed was communication, etc., referred to.)

Passed,

CLOSING OF STREETS.

Coun. HALE offered an order—That the Police Commissioner be hereby authorized to close to travel by vehicles, except fire, police, hospital and mail wagons, on Wednesday, April 19, such streets as may be necessary for the Marathon races on said day, and the City Messenger is hereby authorized to rope off such streets as the Police Commissioner may require in connection with such races, the expense to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

Coun. ATTRIDGE offered an order—That the Police Commissioner be hereby authorized to close to travel by vehicles, except fire, police, hospital and mail wagons, on Saturday, April 8, 1911, between the hours of 3 and 5 p. m., such streets as may be necessary in the vicinity of Union Park street and Harrison avenue, for the ten-mile race on said day under the auspices of the Catherdal Catholic Young Men's Association, and the City Messenger is hereby authorized to rope off such streets as the Police Commissioner may require in connection with said race, the expense attending same to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

PROPOSITIONS CONCERNING GARBAGE DISPOSAL.

Coun. HALE offered an order—That the Mayor, the Finance Commission and the City Council consider the advisability of incorporating in any contract made by the city with a private company, for the disposal of the city waste, the following propositions:

"The company shall (1) furnish the entire plant; (2) agree to dispose of the garbage and other waste in a sanitary manner, substantially as set out in the recent proposal of the Boston Disposal Company; (3) allow its books to be examined by the city; (4) allow its plant to be inspected by the city, so that unnecessary depreciation may be prevented; (5) turn over the entire plant to the city at the end of the contract.

"The city shall (1) pay to the company the fair value of the entire plant, such value to be fixed at the beginning of the contract by expert accountants, payments to be made by the city in annual instalments, in accordance with compound interest tables; (2) pay to the company annually 6 per cent on the above value; (3) pay to the company annually the annual deficit of the company, not to exceed a certain fixed maximum, such deficit being the difference between the operating expenses of the company, and the profits made from the sales of the waste or its products. The maximum defeit in the beginning can be ascertained by estimates and possibly by a six months' trial. Provision for the increased operating expenses due to the growth of the city can be made by having the maximum deficit increased a certain fixed amount for every additional ton of waste disposed of; (4) pay each year to the company one-half of any reduction made in the year in the annual deficit, the other half to go to the city."

Referred to the Executive Committee.

APPROPRIATION BILL.

Coun. BALLANTYNE, for the Committee on Appropriations, submitted a partial report on the message of the Mayor, recommendations and annual estimates (referred February 20), recommending the passage of the following:

Ordered, That to meet the following expenses during the financial year, beginning with the first day of February, 1911, the respective sums of money hereinafter specified be, and the same are, hereby appropriated for the purposes stated, and that the said amounts be raised by taxation upon the polls and estates taxable in the City of Boston.

City Council, forty-eight thousand five hundred dollars:		
Salaries	$13,500 00	
City Council proceedings	10,000 00	
Incidental expenses	25,000 00	
		$48,500 00
Boston Infirmary Department:		
New boat, additional, two thousand five hundred dollars		2,500 00
Mayor, public celebrations, forty thousand dollars		$40,000 00
Reserve Fund (for the payment of claims, executions of court, court fees, expert witnesses and other legal expenses, and for transfers), two hundred thousand dollars		200,000 00
City Debt Requirements, five million sixty-four thousand seven hundred forty-eight dollars:		
Sinking funds	$1,462,998 00	
Serial loans	223,750 00	
Interest	3,378,000 00	
		5,064,748 00
County Debt Requirement, two hundred seventeen thousand one hundred eighty-eight dollars and forty-five cents:		
Sinking fund and principal	$76,875 67	
Interest	140,213 78	
		217,188 45
		$5,572,936 45

The report was accepted and the question came on the adoption of the order.

Coun. HALE—Mr. President, I should like to ask one question upon that before the vote is taken, and that is in regard to public celebrations. I was not able to be present at the meeting where the matter was discussed. Will one of the members who was there briefly outline what that $40,000 is for?

Coun. BALLANTYNE—Mr. President, I suppose Coun. Hale knows that the Council is not in receipt of the information he would probably desire as to what that amount of money is going to be expended upon. The appropriation is made in accordance with the expenditures of last year.

Coun. HALE—That is what we spent last year, is it?

Coun. BALLANTYNE—We spent last year forty-two thousand eight hundred and some odd dollars. This is two or three thousand dollars less than the amount expended last year. The first appropriation last year was $35,000, and then on account of extra holidays and some extra expenses on account of the 4th of July, the Mayor requested more money which brought the entire appropriation up to between $42,000 and $43,000. Forty thousand dollars is the amount that the Mayor has asked this year, and we have made an appropriation giving him the amount requested.

The order was passed, yeas 7, nays 0.

SEVENTEENTH OF JUNE COMMITTEE.

President COLLINS announced the appointment of the following Seventeenth of June Committee: Coun. McDonald, Buckley, Ballantyne, Curley and Attridge.

FINANCE.

Coun. KENNY, for the Committee on Finance, submitted the following:

(1) Report on message of Mayor and order (referred March 13) for loan of $300,000 for making of highways, under the provisions of chapter 393 of the Acts of 1906—that the order ought to pass.

Report accepted; order read once and passed, yeas 6, nays 0.

(2) Report on message of Mayor and order (referred February 6), appropriating $800,000 for a City Hall annex, recommending the passage of order in the following new draft:

That from the cash surplus in the treasury there be appropriated the sum of $800,000 to be expended by the Superintendent of Public Buildings, after plans and specifications shall have been approved by the City Council, and the contract for the same shall have been approved by the Finance Commission, for the erection of an annex to City Hall on the site of the present Old Court House.

The report was accepted, and the order was specially assigned for a week on motion of Coun. KENNY.

SIDEWALK, HUTCHINGS STREET.

Coun. BALLANTYNE, offered an order—That the Commissioner of Public Works make a sidewalk

along both sides of Hutchings street, between Elm Hill avenue and Humholdt avenue, Ward 21, in front of the estates hordering thereon, said sidewalk to he from 3 to 10 inches ahove the gutter adjoining, to be from 5 to 12 feet in width, and to he huilt of artificial stone, with granite edgestone, under thc provisions of chapter 437 of the Acts of 1893.

Passed.

RECESS TAKEN.

The Council voted, at 3.24 o'clock p. m., on motion of Coun. BALLANTYNE, to take a recess subject to the call of the Chairman.

The memhers reassemhled in the Council Chamber and were called to order hy the President at 5.53 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. BALLANTYNE, for the Executive Committee, submitted the following:

(1) Reports on petitions (severally referred to-day) for permits for children under fifteen years of age to appear at various places of amusement—that permits be granted, viz.:

Ernst F. Kimstler, for children to appear at Jordan Hall on May 1.

Charles N. Woodbury; for children to appear at Appleton M. E. Church on March 28.

Horace M. Farrow, for children to appear at Bethel M. E. Church on evening of March 30.

Fred Thompson Bridge, for children to appear at Jordan Hall on May 12.

Reports severally accepted; permits granted on the usual conditions.

(2) Reports on order (referred to-day) that the Commissioner of Public Works be authorized to allow half holidays on Saturdays to all employees whose services can he dispensed with, without loss of pay, during the present financial year—that the order ought to pass.

The question came on accepting the report and passing the order.

Coun. SMITH—Mr. President, as I understand it, after listening to Mr. Babson, we should grant the authority provided for in this order to Commissioner Rourke to give this half holiday. I think it is made necessary by the fact that some departments have had half holidays and some have not. We passed a resolution or order some time ago granting to the Cemetery Department this authority, and I also understand that the clerks in City Hall in the different departments do not work Saturday afternoons. So it would seem only fair and just to standardize this half holiday business, making it apply not only to one department hut to all, in a wholesale manner. Personally, I have always stood for the standardization of wages throughout all the city departments. Men doing similar work in similar hours should get the same pay. So I think in the matter of half holidays all the departments of the city should be treated alike. If the employees of the Cemetery Department get a half holiday and if the clerks in City Hall are given a half holiday, others should not be made the exceptions. So I hope an amendment which I shall offer will he accepted hy the Council, providing that the order shall read, instead of "the Commissioner of Public Works," "the heads of all departments." That would simply mean that the order shall apply to all departments, instead of to one. I think that is only fair to the body of employees throughout the city. We should not single out one department and treat it in preference to others. So I should like to offer this amendment.

Coun. CURLEY—Mr. President, I have no desire to question the sincerity that prompts the presentation of this amendment by the distinguished councilor on the other side of the Chamber, but it is so utterly at variance with the position he assumed in executive session that it appears on the surface of it to he the flimsiest of pretexts for the defeat of the order now heing considered. It was pointed out in executive session that all of the high salaried officials in City Hall at the present time have a Saturday half holiday; that the Cemetery Department men now enjoy a Saturday half holiday; that those whose services can be dispensed with in the Puhlic Grounds and the Park Departments now enjoy a half holiday and that the same is the case with the men in the Water Department, in the Collecting Department, the Treasury Department, the Assessing Department, and in fact every department and hranch of the city's service with the exception of this particular department. This is not an innovation; it has been in general practice in this city for a great many years. It is recognized as a broad, progressive, human proposition. It is so recognized in Europe, where it has been in operation a quarter of a century, notably in England, where it has heen in operation for a much longer period. It is in general practice in all the large manufacturing and mercantile estahlishments in our cities, in the large stores. Take concerns of the size of Jordan Marsh or R. H. White, and the closing of their stores on a Saturday afternoon probably represents a loss to them in trade that will run into the thousands, yet they recognize the fairness of a proposition of this character and put it into operation. I can conceive of no good reason why the amendment should he adopted, hecause its purpose is the defeat of the original order. If it is the desire of the memhers to kill the original order, the proper and manly position to take is to vote against the original order, instead of loading it down with an amendment of this kind.

Coun. SMITH—Mr. President, it has heen a matter of regret to me since I have come into this Board that we have done so much in executive session, and I am especially reminded of this hy the remarks of the councilor who has just preceded me. He states my position in executive session, and I heg to tell him that he states it absolutely wrongly. I never made any remark as to the justice of this half holiday. I distinctly said that I did not offer any opinion on that subject. I distinctly said that I recognized the fact that a half holiday was given in the large stores of this city and throughout most of the business and mercantile life of the city. I did say, however, that I thought such a request should come from all sources, and not from one, and for that reason I say here that I hope this amendment will be adopted. I do not offer it as a pretext for killing the measure. I shall vote for the amendment and I shall vote for the order as amended; and because we may see fit to give the councilor a whole loaf instead of a half, it seems a poor excuse for him to put into my mouth sentiments I never uttered. I hope the amendment will pass, as I have suggested, and I shall certainly vote for the order as amended.

Coun. CURLEY—Mr. President, I desire to say that I am perfectly agreeahle to accepting the apology offered hy Coun. Smith.

Coun. SMITH—Mr. President, I offered no apology. If the councilor on the other side desires to offer an apology, I shall be most glad to accept it, either now or afterwards.

Coun. KENNY—Mr. President, I think the remarks of the member of Ward 17 (Coun. Curley) are most extraordinary. He rises here to argue against a proposition that is entirely in line with what he had previously stated. It looks to me like politics, if I may be permitted to use the word. Gentlemen, let us have general legislation, not special legislation. This is special legislation. He singles out one department, hecause the employees of that department came to him and requested him to do it, and therehy he is rendering an exclusive privilege to that department.

Coun. CURLEY—Mr. Chairman, I would like to ask Coun. Kenny if he knows of any department where this particular half holdiay is not in operation at the present time, with the exception of the Street Department.

Coun. KENNY—I do not, no; hut I say on general principles that this is a general proposition affecting all departments. There is, therefore, so much the more reason for having it general. If every other department is already benefited to this extent, why not make it general, so that there may he no claim or charge here of special legislation for any one department? Why not have it for all departments, as my friend on the left (Coun. Smith) has already suggested? I hope the amendment will be adopted.

Coun. CURLEY—Mr. President, I do not feel that it is necessary to say anything further on this proposition. Coun. Kenny has really said what I might say if I were to say anything in favor of the proposition; he has answered my question, he says he knows of no other department. In substance, that is what he says, so it is not a case of special legislation; it is a case of doing justice to the one department that is denied justice at the present time. In other words, there is no necessity for a general act. All of the departments, with the exception of one particular department, enjoy the privilege to-day and there is no argument that can be advanced why the recognition of that

department would work to the exclusion of other departments who already enjoy the privilege.

Coun. SMITH—Mr. President, may I interrupt for a moment?

Coun. CURLEY—I am perfectly willing to yield for a question.

Coun. SMITH—May I ask the councilor under what authority these other departments grant the half holiday?

Coun. CURLEY—I should say that, so far as I am aware, an order passed by the City Council some years ago providing for the closing of City Hall at one o'clock on Saturday was sufficient to take care of most of the departments. It has heen the general practice. I don't know that they operate under any particular law, except common usage, which really hecomes a law. As a matter of fact, the usage applies to all of the other departments.

Coun. SMITH—Well, would you objcct to making authoritative what may not he done authoritatively at the present time?

Coun. CURLEY—Why, I should say that it would he a case of opening up the entire question to the disadvantage of those who at present enjoy this privilege.

Coun. SMITH—It is closing the entire question.

President COLLINS—The Chair would suggest that the gentleman address the Chair.

Coun. KENNY—Mr. President, I would ask the memher from Ward 17 if it is not a fact that the Bath Department, the Public Grounds Department and the Park Department are not affected hy your special order?

Coun. CURLEY—Mr. President, I would say in answer to that that there are some of the employees of the Public Grounds Department who live in Ward 17. Two of them came to my residence Saturday afternoon, very well dressed, and trimmed some of the trees and bushes there. They were enjoying their Saturday afternoon doing a little outside husiness. It is the case in the Park and Public Grounds Departments that they have Saturday half holidays. That is also true in the Bath Department, outside of the Dover Street Bath—places like that, where there is a necessity for the Bath Department to keep the places open the greater part of the time during the year. Where there is no real necessity for those in the Bath Department to work on Saturday afternoons they do not do so. I suppose if the opinion of Brother Smith or of some memher of the Finance Commission were consulted they would express the opinion that those men should not get off. Nevertheless they enjoy a half holiday. The Park Department employecs cnjoy a half holiday whcre their services can he dispensed with, hut in the summer time, when there is a necessity for sprinkling a little water on shruhs, trees, plants and grass, they are compelled to work. Of course, those not required are allowed their half holiday. So the half holiday rule applies suhstantially to every department at the present time except to the men in charge of the Commissioner of Public Works. In view of that fact I see no occasion for legislation which might apply to those departments that already enjoy it.

Coun. Smith's amendment to strike out "Commissioner of Public Works" and inscrt in place thereof "heads of all departments" was declared carried on a rising vote, 5 to 2, and the question came on the passage of the order as amended.

Coun. BUCKLEY—Mr. President, hefore that is put to a vote I will say that I would rather see the order defeated and have this brought up anew, because, as Coun. Curley says, this amendment opens up another matter and there is a danger that the half holiday will he taken away from men in the employ of the other departments. It is a good deal better to have half a loaf than nothing. I don't want to see the men now getting the Saturday half holiday deprived of it. I was rather sorry to hear my friend from South Boston claim to-day that Mr. Curley was playing politics. I am sorry that he uses that argument. He has used it with me time and again. I do not like to enter into personalities with him, hut I don't like to hear this cry of "politics" every time any matter comes up on which he disagrees with another memher. If anyone wants to play politics now it is the gentleman from South Boston (Coun. Kenny). Coun. Curley does not need to, and I do not. I do not like to hear it. Argue on the merits of a question if you want to do so; deal with a proposition right in the open, but don't indulge in this continuous talk ahout playing politics. I don't like these personalities. So far as I am concerned I do not propose to hring personalities into the debates here, and I will ask Mr. Kenny now if he will not kindly omit his reference to politics on every question that comes up after this.

Coun. McDONALD—Mr. President, I cannot see why if we adopt this general order the purpose of the original order, as introduced, will he defeated. That is not so. We are told that all the men in the different departments are enjoying the Saturday half holiday except those in the Public Works Department. That is not so, and hoth councilors know that it is not so. Over in my district there are some sanitary men who now get the Saturday half holiday, but the regular extra men do not get it in any of the departments. I think everyhody should get it, and I don't want anyhody to tell me hecause I am voting for a general order authorizing the heads of departments to grant all the employees of the different departments Saturday half holidays that I am trying to take it away from some of those who are now enjoying them. It is not so. I say that everyhody should enjoy them, whether the clerks or other members of the different departments; and when we are told that if we pass a general order we will take away perhaps this privilege from employees of the city who now enjoy it, I don't think that statement is so. I do not want to he accused of taking the Saturday half holiday away from anyhody who now enjoys it. I think a general order should he passed compelling the giving of the half holiday to all employees, if necessary. Let us authorize the heads of departments to grant the Saturday half holiday to all the employees who do not now enjoy it. I don't care whether they work in the Sanitary, Street Cleaning, Park, Puhlic Grounds, Bath or any other department, they should enjoy a Saturday half holiday, and I hope the order will pass authorizing all the heads of departments to grant the Saturday half holiday to anybody who does not now enjoy it.

Coun. KENNY—Mr. President, I did not intend to rise again, but I cannot resist the opportunity of saying one or two words in reply to the gentleman from Charlestown. At the time of my remarks the gentleman from Charlestown, Mr. Buckley, had not voted; therefore I was not applying my remarks to him. I don't know why he took them to himself, unless it is a case of the cap fitting, in which case I suppose he is entitled to wear it. If any one man has indulged in personalities since he has heen here it is the gentleman from Charlestown, and he has heen the great author of these orders—the most generous individual in the Council Chamber, as a memher of the Council. From the day when he came in here a year ago hardly a meeting has passed that he has not introduced orders giving vacations and throwing away money generously, just like a Vanderhilt or a Gould. I think he is the last one to complain about memhers getting up here and indulging in personalities. To my mind he is the one member of the Council who has fathered these orders, and this means, to my mind, that they have not been thought out. I think the Council intends to do exact justice to all departments, to the laboring men especially, hut I think these orders have heen introduced as a matter of politics; and when the gentleman says that he does not wish to have me refer again to the fact that memhers are playing politics here I simply reply that I shall always do my duty in that respect and shall so characterize orders introduced and remarks made here when I think the characterization is just—even although the gentleman warns me that I must not do it.

Coun. CURLEY—Mr. President, I have no desire to discuss the proposition further, hut simply to say this, that I realize the purpose of the amendment. In all prohahility when this reaches the fountain head a list will he made up of the number of men affected, the wages they receive at the present time, and the amount of money that the city will pay out for services not rendered, and it will he such a colossal sum that in all prohahility the desired ohject will he accomplished. In other words, the Saturday half holiday will be discontinued. These who are employed as teachers in our public schools enjoy the entire day on Saturday and get ten weeks' vacation in the summer time. They are paid pretty liberally, have a pension system and do not perform over eight hours a day actual lahor. Yet there is no question of economy in that direction. The only logical conclusion to draw from the condemnation that Brother Buckley receives here this afternoon hecause of the interest he manifests in the men who labor and the liheral

spirit exhibited by the heroes who have voted in favor of the general order brings all the more forcibly to my mind the fact that the real purpose of the amendment will be served. In other words, we will receive a flood of statistics with comparison of conditions in all portions of the civilized world and the amount of money that the city will be compelled to pay for services not rendered, and the consequences will be that those who enjoy a half holiday will be deprived of it, but the School Department will go on as it does at the present time. As the Scriptures say, "To him that hath much more will be given; from him that hath not, that same will be taken away."

The order as amended was passed by a rising vote, 5 to 2.

(3) Report on message of Mayor and communication from Boston, England (referred March 20), relative to flag for Old Brigade of Boston, England,—that the same be placed on file.

Report accepted; message and communication placed on file.

(4) Report on message of Mayor, communication and order (referred March 20) appropriating $500 for trophy for ocean race for boats from Boston to Bermuda—recommending the passage of an order in the following new draft:

Ordered, That to meet the expense of a suitable trophy to be awarded to the winner of an ocean yacht race to be sailed next summer from Boston to Bermuda, under the auspices of the Boston Yacht Club, the sum of $500 be, and hereby is, appropriated to be added to the appropriation for Mayor, Office Expenses, etc., when made, provided six yachts start in said race.

Report accepted; order passed.

(5) Report on message of Mayor, communication and order (referred March 20) authorizing sale of horses in Public Works Department—recommending passage of order in the following new draft:

Ordered, That the Commissioner of Public Works be, and hereby is, authorized to sell at public auction about fifty horses now in the custody of the department, at various intervals during the present fiscal year.

Report accepted; order passed.

COUNTY ACCOUNTS.

Coun. CURLEY, for the Committee on County Accounts, submitted a report on the pay roll of the Registrar of Deeds (referred to-day) — that the same be approved to the amount of $4,043.30.

Report accepted; pay roll approved and ordered paid.

DISPOSAL OF STORE REFUSE, ETC.

Coun. McDONALD, for the Committee on Ordinances, submitted a report on the message of Mayor and ordinance (referred to-day) amending section 1 of chapter 9 of the Ordinances of 1910, recommending the passage of said ordinance with the following amendments: In line three strike out the word "may" and insert the word "shall"; in line twenty-one strike out the word "may" and insert the word "shall."

Coun. CURLEY offered the following substitute:

Section 1, chapter 9, of the Ordinances of 1910, is hereby amended by inserting after the word "substances" in the seventeenth line the words "store dirt, paper, and combustible refuse from mercantile and manufacturing establishments." (See Document 167, 1910.)

The report was accepted, and the question came on the adoption of the substitute offered by Coun. Curley.

Coun. CURLEY—Mr. President, I have just one word to say on this proposition, and that is this, that the system of removal without charge has been in operation for a great number of years. The change from the system is extremely revolutionary in character, and, in view of the fact that the city maintains no incinerator of its own at the present time, it seems to me that the conditions recommended by the Commissioner of Public Works impose an unwarranted burden and hardship not only upon the large storekeepers but upon the small storekeepers. I feel that until such time as the city establishes an incinerating plant of its own, the system in vogue for so many years should be continued, that is to say, that the city should remove the ashes, store dirt and combustible materials without cost. My substitute order provides simply for that and I hope that it will be adopted.

The substitute was declared rejected by a rising vote, 2 to 5. Coun. Buckley doubted the vote and asked for the yeas and nays, and the substitute was rejected, yeas 2, nays 6, Coun. Buckley and Curley voting yea.

The question came on the passage of the order as reported.

Coun. SMITH—Mr. President, I hope this order will he put through at this meeting for this reason. The order of Commissioner Rourke that the department no longer collect store dirt has caused inconvenience and hardship to a great many of the small storekeepers in this city and a great many of the large ones have also been affected, although to a less extent. Any delay, even for a week, will cause greater inconvenience to the storekeepers and will cause a nuisance. The reason why I personally favor the passage of this order is that the householders of this community are to-day paying, through their taxes, for the collection of waste from large department stores, factories and other business enterprises, and when those same establishments are made to pay a small amount per barrel the pressure will he removed from the tax levy and will not be placed upon the householder in the residential districts. For that reason I hope this order will go through, and I trust that it will be passed to-day.

Coun. KENNY—Mr. President, I also desire to express myself along those lines. I think there will be a very serious hardship entailed upon these storekeepers if action upon this matter is postponed. I think there is a general desire throughout the city for action this afternoon. The stores are being cluttered up with this waste material. The city at the present time has facilities for handling it, and if it is allowed to accumulate for a week or ten days, we don't know what the result may be. I think it would be a very great mistake to postpone action on the matter, and I hope we will pass the order this afternoon.

The amendments were adopted and the ordinance as amended was passed.

SIDEWALK, HALL STREET, WARD 23.

President COLLINS offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Hall street, between South and Call streets, Ward 23, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of gravel with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

EXPENSE OF HEARINGS.

President COLLINS offered an order—That the President of the City Council be and hereby is authorized to approve the bills incurred by the City Council in connection with hearings held in the following-named high school halls, being each for five dollars ($5), the same to be charged to the appropriation for City Council, Incidental Expenses:

East Boston High School, February 6, 1911; Brighton High School, February 10, 1911; Dorchester High School, February 13, 1911; Charlestown High School, February 14, 1911; South Boston High School, February 15, 1911; West Roxbury High School, February 16, 1911.

Passed.

GREATER BOSTON.

Coun. SMITH offered the following:

Resolved, That the Boston City Council favors the passage of House Bill No. 715, entitled "An Act Creating a Federation of Metropolitan Boston, etc."

Coun. SMITH—Mr. President, I hesitate to bring this resolution up for immediate action at the present time, because I understand that the general custom in regard to such resolutions is to allow one week for the Council to consider them. At the same time this resolution should be passed to-day or not at all. The hearing on the bill began to-day and will be continued to-morrow, and it seems to me the City Council should take some action on the matter. The bill as you know does not call for annexation or consolidation in any way. It simply calls for an advisory body composed of the mayors

and selectmen in the different cities and towns in the metropolitan district, which body shall pass upon matters which affect the whole district, such as metropolitan parks, sewers, water, health, building regulations, fire regulations, and the like. It seems to me that this is a step in the right direction. While we may all differ as to the details of the bill, it seems to me we should have some advisory body on these large metropolitan questions, and I believe that the opinion of the City Council given to the Committee on Metropolitan Affairs at the State House would receive great weight. It is a common report that the committee has often desired the opinions of the different cities and municipalities affected in the metropolitan district, and this would give them a chance to find out the opinion of those different communities. I hope the resolution can be passed to-day, not because I want it rushed through, but simply because of the hearing coming to-morrow.

The resolution was adopted.

HIGH PRESSURE SERVICE.

Coun. SMITH offered the following:

Resolved, That the City Council of Boston favors the passage of the bill now before the Committee on Cities enabling the City of Boston to appropriate and spend money for a higher pressure fire service.

Coun. SMITH—Mr. President, as I understand this bill it is one that the Mayor has introduced for high pressure water protection to the city, especially in the downtown district. Coming on top of the disaster in New York, it seems to me we ought to give weight to this bill, give it immediate attention. It has been passed upon by various Fire Commissioners and ex-Fire Commissioners, and I offer the resolution to-day, not in order that we may form a quick judgment on the bill, but simply to bring it before the body. I would ask to have it referred to the next meeting of the Council, simply to give the Council time to look into the matter.

The resolution was assigned to the next meeting of the Council.

RESOLVE CONCERNING PORT OF BOSTON.

Coun. CURLEY offered the following:

Resolved, That in the opinion of the Boston City Council the advancement of the commercial interests of the port of Boston require that the restrictions upon the loan of $3,000,000, authorized by the Legislature, for the development of land owned by the Commonwealth of Massachusetts at East Boston, be removed, as recommended in the inaugural of his Excellency Governor Eugene N. Foss.

The question came on the adoption of the resolution.

Coun. CURLEY—Mr. President, in connection with this resolution I desire to call the attention of the Council to chapter 648 of the Acts of 1910, section 5, which places so many restrictions upon the expenditure by the state of this $3,000,000 that was authorized that in all probability the development of the East Boston water front will be delayed for a great many years, unless the recommendation of his Excellency is adopted. In this connection I would say that the act as drawn provides that "Said Board of Harbor and Land Commissioners, with the approval of the Governor and Council, is also authorized to fill portions of the flats of the Commonwealth and to build one or more piers or wharves on the easterly side of East Boston, on the lands, flats or rights therein now owned or hereafter acquired by the Commonwealth, and to do such dredging as may be necessary to secure suitable access to such piers or wharves, whenever satisfactory contracts are made with the Commonwealth for the use of such railroad right of way, filled flats or pier or wharf at a rental, for a term and upon provisions, restrictions and obligations which are deemed reasonable and in the public interest by said Board, and approved by the Governor and Council, or when a satisfactory and reasonable contract as aforesaid is made for the use of such rights of way, lands or flats without such grading, surfacing, filling or building."

The imposing of those restrictions retards the development of the port of Boston, and particular attention is paid to it in this pamphlet issued by the Chamber of Commerce entitled "Advance New England." Speaking on the question of East Boston development it goes on to say:

"East Boston is already started on its career as the great transatlantic terminal of the city. The new harbor line established on the recommendation of the Chamber makes possible the construction of large piers and leaves room behind for great warehouses and even for factories. The area is 50 per cent larger than that now occupied by the Bush Terminal property in New York. The district is in close proximity to the East Boston labor market, etc."

In this connection his Excellency made the following recommendation, on page 11 of his inaugural:

"In the last session of the General Court an expenditure of $3,000,000 was authorized to provide for new piers, with the condition that they should be leased before construction. I respectfully urge that this act be amended so that work may begin immediately, believing as I do that if, when the piers are completed, they are not quickly brought into useful and profitable service by our dominant railroad corporations, then the state can take and ought to take immediate steps to secure some other tenant."

In a recent publication of the Boston *American* an article of much interest appears, by Mr. Henry C. Long, of the Chamber of Commerce, with relation to Boston's neglected opportunities, and in that connection we find a comparative list of the leading cities of the United States with respect to imports and exports. Upon investigation of that list we find that, while Boston is second as an import city, as an export city it ranks fifth at the present time, leading Philadelphia for sixth place by something like $3,000,000. If this development took place in East Boston, it is my firm opinion, Mr. President, that instead of being fifth as an export city Boston would rank speedily as the second export city; and in this connection I want to point out a certain occurence that took place in this building some five years ago. I was instrumental with other members of the Board in securing the passage of an order giving rights to the National Dock Company to occupy portions of certain streets in East Boston and at that time every man who voted in favor of the proposition was not only charged with being a grafter but was publicly charged with being bought. They were all summoned before the grand jury and they received a clean bill of health. I wrote a letter the other day to the concern that had charge of that proposition and asked them what was the result of the action of the Board with relation to the development of their property. I have here a communication that I should like to read—because, after all, that was really the only big proposition affecting the export and import trade of Boston that was consummated by the city government during the last ten years. It was to my mind the chief piece of constructive legislation enacted by this body in the last ten years for the development of the port of Boston. I have this reply, from Burroughs & Dehlois, dated March 25, 1911:

"In regard to the inquiry you made of DeBlois last night about the increase of steamship business at the National Docks since tracks were put in, I think the following will answer your inquiry.

"Previous to 1905 there were practically no South American steamers coming to this port. They all went to New York. Once in a while one did come and docked usually at Mystic Wharf, but they were very irregular in coming in, probably two or three a year only. As soon as we got hold of the National Dock property in 1905 we began to work for this South American freight business, and the number of steamers have steadily increased, until now our one good dock is being used to its maximum capacity; that is to say, we have had to refuse in the last year a large number of South American steamers. They have docked at the Grand Junction Wharves in East Boston instead.

"Owing to the large quantity of cargo discharged from a vessel and the long time it takes to clear the sheds of same after the steamer has discharged its cargo, it is impossible for us to take more than about four or five vessels a month at one dock, and in the season which is just about now ending we have sometimes had opportunities of handling three or four in one week, which we could not do.

"The season for these vessels is hind end to, for they do their business when it is summer in South

America; therefore they begin to come about November and generally quit about May, although they slack up considerably just about this season of the year. From now on there are only about three or four a month.

"We are contemplating fixing up our south dock to handle the additional steamers which we cannot take at the north dock, but as it costs such a lot of money to do so we have hesitated about doing that work. We estimate that the increase in our storage business, owing to having these South American steamers dock at our wharves, is equivalent to an increase over the business conducted previous to 1906 of at least 100 per cent. In other words, these steamers have doubled our storage business.

"The cargoes on these steamers are just what our warehouses need, as a very large proportion of the cargoes goes into the storage warehouses, the rest of it being shipped out over the rails to the original destination, and if we did not have the tracks which enable us to thus ship out this through freight we would not be able to take the steamers, on account of the additional expense of handling the goods from the vessel to the cars which are now handled directly through the shed.

"On the other hand, we would not want these vessels unless for the storage contained in their cargoes, for the reason that there is no money in docking vessels, and the only reason that anyone wants to have an ocean steamer dock at their wharf is to provide income in some other manner.

"For instance, the railroads wish to have the steamers dock at their wharves so as to have the goods for freight. We wish to have the steamers dock at our wharves so as to get the storage, but if there was not something else to earn the money on they would not want to have a steamer dock at their wharf, for if they did they would lose money. Now the reason why they would lose money is that no ocean steamship from any foreign port expects ever to pay one cent for dockage charges for their vessel in the City of Boston, and likewise the owner of the goods would not pay any wharfage charges for any of their goods going out over the railroad. The only wharfage charges that are collectible are charges on such goods as are unloaded onto the wharves and taken away from the wharf by the consignee. This delivery to consignees on the wharf comprises on an average of probably not over 10 per cent of the vessel's cargo, as very little of the cargo is used for local consumption. It either all goes through to some western point direct or goes into the warehouses.

"The above point, namely, that neither the vessel nor the cargo are willing to pay for the services of the wharf, is the main contributing cause to the lack of ocean steamship wharves in Boston, except wharves owned by the railroads which furnish the wharves free for the sake of the freight and wharves owned by warehouses who furnish their wharves free for the sake of the storage. If you will think of it you will see that no ocean steamship docks in Boston at any wharf except where they are owned by a railroad or a storage warehouse. New York is very different. The vessels pay a rental for every wharf they use, and goods are also subject to wharfage charges, and therein lies the meat in the cocoanut. If the steamship companies and the owners of the cargoes would pay anybody for the use of their wharf there would be plenty of wharves built in this city, but as neither the steamship company nor the cargo will pay anything there are no wharves built except by the people who get money from freight or storage.

"If the Commonwealth builds some new wharves somewhere and attempts to charge the vessel or cargo anything for their use they will not have any steamer or cargo use their wharf, and they will remain idle forever and ever, amen. If they construct a wharf and get a railroad to hire same, the railroad would expect to earn its rent for the wharf out of the additional freight and not out of the dockage or wharfage derived from the vessel or cargo, and if the state did not have a railroad on its wharf, if they offered the use of the wharf free no ocean steamship would ever discharge a single cargo on that wharf, on account of the expense of getting the freight going through to points west over to some railroad.

Yours very truly,

GEORGE BURROUGHS."

In other words, the import and export business between Boston and South America and Australia, in wool, hides, extracts, wheat, formerly transacted between New York and South America and Australia, and now diverted to the port of Boston, amounts annually to between fifty and sixty million dollars, one small proposition to consider in connection with this matter. It is now contemplated by the New Haven road to construct a tunnel running under the harbor and passing by the property now owned by the state known as the Commonwealth flats at East Boston. If the state constructs the dock and does its portion of the development there, with real connections, instead of being fifth as an export city, if we do only about twice the amount of business that the National Dock Trust Company does,— and that is a small proposition, perhaps representing a capitalization of half a million or a million dollars,— we would have an export business of $169,000,000 instead of $69,000,000, and would rank third, leaving New Orleans behind by about $14,000,000 and being second to Galveston by only about $32,000,000. I voted for the proposition presented by Coun. Smith this afternoon for a loose federation. I would be perfectly willing to vote for a Greater Boston and take chances on the political features of it. It would be immaterial whether the Democratic Party or the Republican Party were in control in Greater Boston. There is this much to be said in favor of any proposition looking to a Greater Boston, that if we had a larger city we could more successfully invite business to Boston. When Boston ranks prominently as an export and import city, when it ranks prominently as a large center, when it ranks high with relation to population, with relation to finances, and with relation to wealth, it will advance much more rapidly in every direction, I sincerely trust that eventually we will have a Greater Boston regardless of the political complexion of the men in charge. We want to do some constructive work for the best interests of Massachusetts, and the best way for us to do it is to take an interest in the commercial development of the city, to take an interest in anything that will tend to increase, to enlarge the city. I sincerely trust that the Legislature will see the wisdom of acting upon the recommendation of his Excellency the Governor, and I am confident if they do, with the tremendous amount of money already being expended by the various railroads in the development of Boston and in the suburbs of Boston and with the building of these piers, we can become the second export city in the United States, and perhaps may not fall greatly behind New York in the matter of imports. That is not an unreasonable assumption. We have been told a great deal about the prodigality of the Tammany organization in New York. They had a test of what reform meant in New York under the Low administration. Elected as a reform mayor, after four years Mayor Low said:

"My chief regret is that I have not been able to make good. I always condemned Tammany for its prodigal expenditures, but it was Tammany which gave us Central Park, which gave us Fifth avenue and Madison avenue, our connecting arms with Brooklyn, that gave us our subway system and our elevated system. Gentlemen, I must make a confession, and open confession is good for the soul. The only thing I can point to as the result of my four years of reform administration is an increased debt and an increased tax rate." That was the open confession of an honest man. Allowing that the expenses of the city are increased by general improvements, so long as those improvements advance the public interests and add to the wealth, health and prosperity of the community, we should consider those features of the situation as well as a low city debt and a low tax rate. They are equally important. The same thing that applies to the case of merchants doing business applies to cities. Two men are engaged in business on opposite corners of the same street. One spends a little more than he is taking in for a time to make his place attractive. The other permits his place to run down. It is only a question of time when the one who makes his place attractive and inviting will have all the business and the other will be driven out of business. These considerations should be borne in mind by members of this Council. I sincerely trust that the Legislature will see the wisdom of acting on the suggestion or recommendation of his Excellency and will remove the restrictions on the use of this money for the development of the port of Boston, thereby doing—as was done in what was commonly known as the notorious National Dock Trust case—some kind of constructive work for the development of Boston. I and nine other members of the Board

of Aldermen were charged with being grafters and crooks in that case and were haled before the grand jury for putting the thing through; but in consequence of the action then taken a large number of steamers that plied between New York and South America and Australia have been diverted to the port of Boston, from fifty to sixty million dollars of exports and imports have been added to the port of Boston, and there is being paid out in salaries $50,000 to $60,000 annually, and in teaming expenditures between $12,000 and $18,000. It is about time that we ceased taking the Dame Partington view of these matters, but took the broad view, not only in the city but in the state as well.

The resolution was passed.

GENERAL RECONSIDERATION.

On motion of Coun. ATTRIDGE the Council, refused a general reconsideration of all action taken to-day.

Adjourned, on motion of Coun. ATTRIDGE at 6.54 p. m., to meet on Monday, April 3, at three o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 3, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair. Absent —Coun. Curley.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, April 1, 1911.

To the City Council:

Subject to confirmation by your honorable body, I hereby make the following appointments for the term ending April 30, 1911:

Maynard F. Moseley (16 Beaumont street, Ward 24) and John D. Smith (27 Nelson street, Quincy) to be Weighers of Coal.

Maynard F. Moseley (16 Beaumont street, Ward 24) to be a Measurer of Wood and Bark.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Laid over under the law.

ADDITIONAL SUMS, APPROPRIATION BILL.

The following was received:

City of Boston,
Office of the Mayor, March 31, 1911.

To the City Council:

I beg to recommend that the following sums be appropriated by your honorable body, in addition to those allowed in my original message, recommending appropriations and tax orders for 1911–12.

Wire Department	$2,000
Building Department	10,000
Hospital Department	10,000
City Clerk Department	1,000

Respectfully,
JOHN F. FITZGERALD, Mayor.

Referred to the Committee on Appropriations.

BUILDINGS, STRANDWAY PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, March 31, 1911.

To the City Council:

Permit me to call your attention to a loan appropriation amounting to fifty thousand dollars ($50,000) for Bathing Establishment, Ward 15, which has long lain dormant. In the meantime the Strandway Playground, which is in the same ward, has been developed and is more and more frequented each year. The need of a locker and sanitary building on that playground has been felt for some time, and I beg to recommend the passage of the accompanying order, transferring the sum of twenty thousand dollars ($20,000) from this appropriation to an appropriation for Locker and Sanitary Building, Strandway Playground.

Letters from the secretary of the South Boston Citizens Association, the chairman of the Board of Park Commissioners and the secretary of said Board, favoring this transfer and giving estimates and comparative figures, are attached hereto.

Respectfully,
JOHN F. FITZGERALD, Mayor.

South Boston Citizens Association,
February 18, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston:

Dear Sir,—At the last meeting of the South Boston Citizens Association vote was passed favoring the division of the $50,000 Ward 15 bathhouse fund, and favoring the expending $25,000 for a building to contain lockers, shower baths and sanitary arrangements on McNary Park and the remainder to form a nucleus for a municipal building in South Boston.

Yours truly,
HENRY J. D. SMALL, Secretary.

—

Board of Commissioners of the
Department of Parks,
March 22, 1911.

Mr. William A. Leahy, Secretary,
Mayor's Office, City Hall, Boston:

Dear Sir,—In answer to your inquiry about the cost of sanitary buildings, the Franklin Field Building has cost $39,629.87; Columbus Avenue Playground Sanitary and Locker Building, $12,-212.77; William Eustis Sanitary Building will cost about $14,000.

Yours truly,
GEORGE F. CLARKE, Secretary.

—

Board of Commissioners of the
Department of Parks,
March 18, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston:

Dear Sir,—Your message making inquiries regarding a locker building at the Strandway Playground, made through Mr. Clarke, our secretary, has been received.

In reply I would say that our letter in the summer of 1909 to Mayor Hibbard and the Board of Aldermen discussed the subject of a locker building for that playground, and it was then proposed to include in it a gymnasium and bath and apply to it a fund of $50,000, which had been appropriated by the city for a municipal gymnasium and bath in Ward 15, but which sum was inadequate to build such a building and buy a lot. By placing it on the Strandway Playground the latter expense was to be avoided.

In the spring of 1910 the matter was again brought up in the City Council, and the Park Commission urged very strongly that a sanitary and locker building on the Strandway Playground was very much needed, and it was then thought that a portion of such a building as would be ultimately needed might be then built for perhaps $14,000, and we again suggested that the money already appropriated for the bath house in Ward 15 might be used here and all these utilities thus be housed on the Strandway Playground, and we had some correspondence with you on this general subject in April, 1910.

There can be no question but that there is need of a locker and sanitary building on the Strandway Playground, which is already large and much used and which eventually is to be a very important playground. It would be possible to build a part of a future building, as has been heretofore suggested, but it doubtless would be better, if the money can be had, to build a reasonably large building which would serve the increasing needs for some time to come. We should suggest that the most appropriate thing to do would be to build a building somewhere in cost between that just completing on the William Eustis Playground and the larger building that is at Franklin Field. The sum of $25,000 would do this satisfactorily, and if you find it possible to transfer also the Ward 15 appropriation for bath house, so that it could be built at the same time and in the same character of design, so as to form one group of buildings, we think the whole would form a very useful structure.

Yours truly,
ROBERT S. PEABODY, Chairman.

—

Ordered, That the sum of twenty thousand dollars ($20,000) be transferred from the appropriation for Bathing Establishment, Ward 15, to an appropriation for Locker and Sanitary Building, Strandway Playground, said appropriation to be expended under the direction of the Board of Park Commissioners.

Referred to the Executive Committee, on motion of Coun. KENNY.

PLANS FOR ZOO, ETC.

The following was received:

City of Boston,
Office of the Mayor, March 29, 1911.

To the City Council:

I beg to transmit for your consideration a letter from the chairman of the Board of Park Commissioners, inclosing a passage from the annual report of that Board for the year 1910, together with certain plans. In this passage the Board suggests that it might be possible for the City Council to arrange so that the additional sum of two hundred and thirty thousand dollars ($230,000), which is needed to complete the plans for the Aquarium at Marine Park and the Zoological Garden at Franklin Park, should be provided before June 1, 1912, the date on which the Board hopes to open the latter institution to the public.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Board of Commissioners of the
Department of Parks,
March 22, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston, Mass.:

Dear Sir,—At the end of our annual report recently handed to you the plans we have in mind for the establishing of the Aquarium and Zoological Garden are described. We inclose herewith a copy of this portion of our report and respectfully ask you to hand it to the Committee on the Parkman Fund of the City Council so that they may consider it and tell us as early as possible whether we can follow the program there described. We need this information because we can very shortly begin construction work on plans now being well advanced.

Yours very truly,
ROBERT S. PEABODY, Chairman.

In our last report we suggested various methods of creating attractions in Franklin Park. Very soon thereafter the opportunity presented itself for establishing the Zoological Garden at Franklin Park and the Aquarium at South Boston to be paid for from the Parkman Fund, and we made a report to you and the City Council some months since regarding the designs for these. Since then we have carefully studied in greater detail the aquarium building. Our advisers have visited New York, Washington and Detroit and have consulted with the authorities there, and we have engaged Dr. Bean of Albany to review our drawings and advise with us regarding them. We hope to start on building the aquarium as soon as the season opens. We have also worked over in detail the general plan for the Zoological Garden in Franklin Park and the more detailed designs for winter bird house; the summer outdoor flying cage or aviary; the duck pond; the bear den and also dens for various other animals. Mr. Hornaday, the director of the Bronx Zoological Gardens, has at our request been a second time to Boston, reviewed all our work and advised with us professionally and to our great advantage. We offer the following program as what we should like to do as regards the Zoological Garden.

We desire to open the Zoological Garden on June 1, 1912. In that event we should not accept any animals before April 1, 1912. The whole of 1911 and the entire spring of 1912 would be required for preparations. On June 1, 1912, we should like to have two good buildings ready, namely, the bird house and the building that would finally be the deer house but which temporarily would contain any animals requiring indoor care. The accompanying plan will show where after mature study we now plan to place these different buildings and dens, etc., with which to start the Zoological Park. The estimate for all this preparation would be as follows:

Camels, camelopard and musk ox	$8,000 00	
Carnivorous group	24,000 00	
Deer house and yards (to be temporarily used for all indoor animals)	55,000 00	
Deer corrals and sheds	12,000 00	
Bird house	75,000 00	
Flying cage	12,000 00	
Wild fowl pond and fences	5,000 00	
Continuation of herbaceous garden with water ponds for water plants, etc.	9,000 00	
Total		$200,000 00
Animals for the above	$25,000 00	
Aquarium at South Boston	100,000 00	
Sewer, fences, superintendent's salary, survey and drawings	25,000 00	
		150,000 00
Total		$350,000 00
Of this needed amount there has already been placed at our disposal about		120,000 00
Additional sum needed before June 1, 1912		$230,000 00

We ask whether it will not be possible for you and the Parkman Fund Committee to arrange for us to have this amount of money before June 1, 1912, to be expended in this manner as a whole on the items above named but not necessarily in the proportions allotted above to each individual item.

Yours truly,
ROBERT S. PEABODY,
DANIEL H. COAKLEY,
JAMES M. PRENDERGAST,
Board of Park Commissioners.

Referred to the Committee on Parkman Fund, when appointed.

SALE OF VOTING BOOTHS.

The following was received:

City of Boston,
Office of the Mayor, March 30, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order authorizing the Board of Election Commissioners to sell certain iron voting booths which are no longer required for the purposes of the Election Department.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That the Board of Election Commissioners be, and hereby are, authorized to sell at public auction or private sale certain iron voting booths, which are no longer required for the purposes of the Election Department.

Referred to the Executive Committee.

MUNICIPAL LIGHTING PLANT.

The following was received:

City of Boston,
Office of the Mayor, April 1, 1911.

To the City Council:

I beg to transmit a letter from the secretary of the Boston Central Labor Union proposing a plan for the ownership and operation of a municipal lighting plant, by which in his opinion the city could save about two hundred thousand dollars ($200,000) in the course of ten years.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Boston Central Labor Union,
Boston, March 23, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—We herewith inclose a copy of a plan and schedule for ownership and operation of

a municipal lighting plant for the City of Boston, a copy of same is now in the hands of the Commissioner of Public Works, Hon. Louis K. Rourke, for his consideration and action.

In view of the fact that the schedule is based on actual prices and consumption of supplies and shows that its adoption by the city means a saving to the public funds of nearly two hundred thousand dollars of the taxpayers' money over the lowest bid submitted to the city, and in view of the fact that with the saving of nearly two hundred thousand dollars of the taxpayers' money the citizens will receive a superior lighting of the streets and the lamplighters a fair wage for work performed, we ask your Honor to indorse this plan and schedule for the ownership and operation of a municipal lighting plant, as a measure based on sound business principles; an economic administration of the public funds; an improved public service; and fair treatment to the public employee.

Prior to the present contract, lamplighters received $2.25 per diem; when prices were lowered their wage was cut to $2 per day.

If lower prices prevail, a similar reduction will take place. It will be an actual profit to the city, save money, and bring wages to $2.25, besides a guarantee of better lighting, and have it under city control.

Very respectfully,
HENRY ABRAHAMS, Secretary.

Mr. Louis K. Rourke,
Commissioner of Public Works,
City of Boston:

Cost of ownership and operation (including charges for purchase, interest, maintenance and depreciation) of a municipal lighting plant:

Labor (on a basis of $2.25 per day, 90 lamps to route), per lamp per year	$9 13
Gas (78 cents per thousand feet), per lamp per year	9 30
Globes ($9 per dozen), one-third of globe, per lamp per year	25
Domes ($6 per dozen), one-fifth of dome, per lamp per year	10
Chimneys (72 cents per dozen), two and one-half, per lamp per year	15
Ventilators (26 at 85 cents each), per lamp per year	02
Mantels ($90 per thousand), four and one-half, per lamp per year	40
Burners (245 at $225 per hundred), per lamp per year	05
Maintenance of repair shop $6,000 per year, per lamp per year	54
Cost of operation and maintenance of lamps, per lamp per year	$19 94

Purchase for plant of 11,000 lamps at $11.50 each, installed, $126,500.

Interest on purchase of bonds at 4 per cent ($5,060), per lamp per year	$0 46
Depreciation of plant, $2,000 per year, per lamp per year	18
Total cost of ownership, maintenance, operation and depreciation, per lamp per year	20 58
Lowest bid submitted to city for street lighting, per lamp per year	22 30
Saving to the city by establishment of municipal lighting plant, per lamp per year	1 72
Saving to city in one year by establishing municipal lighting plant	18,920 00
Saving to city in ten years, the life of proposed contract, by establishing a municipal lighting plant	189,200 00
Deducting cost of plant	126,500 00
Leaving to the city at end of contract term a complete lighting plant free from all debt, and a surplus of cash amounting to	62,700 00

The lighting plant, as suggested above, will permit of the attachment of an automatic lighting machine whenever in the judgment of the city officials such attachment would be for the interests of the city.

Submitted by Contract Committee of Lamplighters Union No. 11,943, A. F. of L.
EDWARD F. CONNELLY.
FRANK J. CONBOY.
JOHN MAHAN.

FRANK H. McCARTHY,
American Federation of Labor,
97 Union Park Street, Boston.

Referred to the Executive Committee.

PLAYGROUND, ROXBURY CROSSING.

The following was received:

City of Boston,
Office of the Mayor, April 1, 1911.

To the City Council:

As a result of a public hearing given in Tremont Hall last Thursday evening upon the need of playground accommodations in the district about Roxbury Crossing, I have come to the conclusion that the appropriation already made for this purpose will not be sufficient. In my opinion the district is so congested and the population is so lacking in opportunities for recreation that a second playground should be provided, in addition to the one for which an appropriation has already been made.

I would ask your honorable body to consider this subject and desire to assure you that I shall be heartily in favor of the expenditure of any reasonable sum which will be required for this purpose.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Referred to the Committee on Finance.

AMENDMENT TO ORDINANCES.

The following was received:

City of Boston,
Office of the Mayor, April 1, 1911.

To the City Council:

I beg to transmit an important communication from the Fire Commissioner, inclosing a copy of a proposed amendment to the city ordinances.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Fire Department, March 28, 1911.

Hon. John F. Fitzgerald,
Mayor:

Sir,—This department has made a careful study of the fire limits of the City of Boston. We find a concurrence of opinion on all sides that now is the right time to materially extend the area inside of which only buildings of first or second class construction are permissible.

This matter has been given the careful consideration of the engineers of the National Board of Fire Underwriters, who recently investigated the Fire Department condition in this city; and it has also had the consideration of the secretary of the local Board of Fire Underwriters.

I inclose herewith a copy of the proposed amendment to the city ordinances.

This amendment extends the fire limits to include all of Charlestown and a large part of the old portions of South Boston and East Boston. It also extends the present fire limits of the city from a line running through the center of Ruggles street to a line running through the center of Dudley street.

This department requests that this matter be brought to the attention of the City Council for their careful consideration.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

Section 27, Chapter 45, Revised Ordinances of 1908, 12th Revision.

City Proper and South Boston.

SECT. 27. The building limits referred to in section nine of chapter five hundred and fifty of the acts of the year 1907 are established as follows:

City Proper, South End, Roxbury and Dorchester.

All that portion of the city, which is included within a line beginning at a point where the easterly line of Ashby street intersects with Charles river; thence from said point along the easterly line of Ashby street to the easterly line of St. Mary's street; thence along the easterly line of said St. Mary's street and the boundary line between Brookline and Boston to the center of Huntington avenue; thence through the center of said Huntington avenue to the center of Tremont street; thence through the center of said Tremont street to Roxbury Crossing; thence from Roxbury Crossing, along the center of Roxbury street to Eliot square; thence from Eliot square, along the center of Dudley street to the center of Magazine street; thence through the center of said Magazine street to the center of Massachusetts avenue; thence through the center of said Massachusetts avenue to the center of Southampton street; thence through the center of said Southampton street to Andrew square; thence from Andrew square through the center of Dorchester street to the center of that body of water known as the Reserved channel; thence via the water front to the harbor line; thence by the harbor line and the water front to the boundary line between Boston and Cambridge; thence by the Boston-Cambridge boundary line to the point of beginning.

East Boston.

Beginning at the intersection of the center of Marion street and the easterly water front, running thence along the center of Marion street in a northwesterly direction to the center of Bennington street; thence along the center of Bennington street to Central square, from Central square along center of Border street to the center of Condor street; thence along the center of Condor street to the center of Glendon street; thence through the center of Glendon street to Eagle street; thence through the center of Eagle and Chelsea streets to the old Chelsea Bridge; thence along to the Chelsea creek and harbor line to the point of beginning.

Charlestown.

The entire district known as Charlestown.

Referred to the Committee on Ordinances.

BRANCH LIBRARY, NORTH END.

The following was received:

City of Boston,
Office of the Mayor, April 1, 1911.

To the City Council:

I beg to transmit a communication from the president of the Library Trustees, accompanied by a report from the trustees and a colored drawing referring to the need of a new branch library in the North End, and giving estimates of the cost of such a building if erected upon an estate on North Bennet street.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

The Public Library,
Boston, March 21, 1911.

Hon. John F. Fitzgerald,
Mayor:

My dear Mr. Mayor,—I am sending with this a communication from the Library Trustees with regard to the establishment of a branch library in Ward 6. I hoped to be able to bring it to you personally, so that I might state to you by word of mouth how strongly the trustees feel in favor of doing what they recommend in this communication. I have no doubt, however, it will appeal to you as it does to them, and I therefore send this letter rather than wait for a personal interview, which, owing to your engagements and mine, I am unable to obtain to-day.

I should be glad, however, to call on you for a few minutes with regard to the matter at any time when you can make an appointment to-morrow.

Mr. Kenney, Mr. Carr and Mr. Boyle have all personally examined into this matter, and are very much in favor of acquiring the property and making a branch library at the North End. Either of them would be glad to call upon you with reference to the matter at any time you may desire to see them, I have no doubt. I remain,

Yours sincerely,
J. H. BENTON.

—

The Public Library,
Boston, March 17, 1911.

To His Honor John F. Fitzgerald,
Mayor of the City of Boston:

Sir,— The Trustees of the Public Library of the City of Boston have the honor to submit this communication with reference to the need of further library accommodations for that part of the city known as the North End, substantially within the limits of Ward 6.

The trustees have maintained a reading room in the building occupied by the North Bennet Street Industrial School at 39 North Bennet street, which was opened November 3, 1899. It has never been satisfactory for library purposes, but was the best that could be obtained with the means at the disposal of the trustees. In their fifty-eighth annual report, for the year 1909–10, they stated that "these rooms are wholly inadequate for library purposes."

They have also maintained since June 9, 1903, a reading room on the ground floor of the building at 207 North street, which was adequate for its purpose although inconvenient and not suitable in many respects for proper library service. This building, however, has been sold and the tenancy of the library terminated by the new owner. All the library accommodations for this part of the city are now necessarily supplied at the North Bennet street reading room, where some additional room has been obtained, but only for temporary purposes. It will be seen, therefore, that the provision for library service for the people of the North End of the city is wholly inadequate, and there is imperative need that something should be done without delay to provide that part of the city with such library service as the people obviously have a right to expect. It was the opinion of the trustees, as expressed in their fifty-eighth annual report, transmitted to your Honor in February, 1910, that "there should be a building for a new branch at the North End at an early date," and they are of the same opinion now, the need for such accommodations being even more imperative than at the time this report was made. The situation is so fully set forth in the report of the examining committee, appended to the report of the trustees recently transmitted to your Honor, that we beg leave to refer to that as a fair statement of the situation. We quote from the report of the subcommittee, who made careful personal examination of the situation and whose report was adopted by the full committee. They say:

"Ward 6 is set off by itself, at a considerable distance from any other station of the library. Even the West End Branch is more than a mile away through the crowded, busy streets, where children could not be safely sent even in daylight; and the Central Library in Copley square is inaccessible for either children or adults without the payment of two car fares.

"In the industrial school at 39 North Bennet street there have been two small rooms given to the use of the libarry from 4 till 10 p. m. The rooms are respectively 24 feet by 25 and 24 feet by 26.5. A record is kept of the number of persons who come to the place for reading and of those who come to take or return books. The rooms are so small and so crowded that scarcely any effort has been or should have been made to increase the use of them. Nevertheless, the custodian reports the following remarkable figures for the months of November and December, 1910:

	Attendance.		Borrowers.	
	November.	December.	November.	December.
Smallest daily number	114	199	75	61
Largest daily number	412	453	249	266
Average daily number	287	323	160	176
Average weekly number	1,790	1,753	1,035	1,056
Total for month	7,190	6,699	4,142	4,573

"About one-fifth of the number of borrowers is included also in the recorded attendance. Eliminating this duplication the number of applicants served at this station of the library during the two months of November and December, 1910, is thus shown to be 20,861. The deposit of books at North Bennet street has been a very small one because of scanty room, and the demands of the readers have been filled chiefly by books ordered from the Central Library. Every morning a long list of these orders was sent out, and the following tables show the number of books distributed during the months of November and December, 1910, from the Central Library:

Distribution of books from the Central Library at North Bennet street:

	November.	December.
Smallest daily number	23	17
Largest daily number	78	73
Average daily number	49	48
Average weekly number	294	288
Total for month	1,176	1,248

"The books delivered from the Central Library to this reading room during the two months of November and December, 1910, numbered 2,424. Thus here children have been obliged to order books largely from the Central Library, without the opportunity of looking over the books — a marked contrast with the opportunities for children at the Central Library and some branches.

"The most striking proof, however, of the book hunger of the children of Ward 6 cannot be put into figures. It is to be seen by anyone who will go to the reading rooms in the afternoon of any winter day. Let any warm-hearted student of social conditions go to the North Bennet street reading room at the hour when the boxes of books come in from the Central Library. Let the visitor stand for a half hour at the delivery desk, and watch the eager faces and the outstretched hands of the children. The bright-eyed Italian boy, the keen-faced Jewish girl, the Greek or Portuguese is often ragged and ill-fed, and bears the marks of the home where severe poverty cramps and dwarfs the life; but if the boxes contained sweetmeats or toys, they would hardly be more joyously greeted than are these piles of rusty books. Among the children whom we call happier than those who fill North Bennet street there are too many who must be coaxed or driven to taste the joy of reading. But in North Bennet street the worn, shabby book is the key to a palace of delight, and the crowded rooms are positively ablaze with the sheer happiness which radiates from the faces of the scores of reading boys and girls. There is surely no part of our city where the hunger for books is so keen and so universal as among the crowded tenements of the North End, where the children of twenty different nations are being made — well made or ill made — into American men and women.

"So much for the nature of the need for books and for a place to read them. Now we must pass to some consideration of the extent of that need. Let us set down a few figures, representing actual conditions in Ward 6. The population of Ward 6, according to the census of 1910, is 35,758. This has not yet been classified as to place of birth, but by applying the percentages obtained from the state census of 1905, it is possible to reach a result which shall be substantially correct. We may say, accordingly, that the Italians comprise 67 per cent (23,957), the Hebrews 18 per cent (6,436), the Irish 7 per cent (2,503) and that the remaining 8 per cent is distributed among several different nationalities. About one-sixth of the population (in round numbers, 6,000) consists of children between the ages of five and fifteen. There are eighteen public school buildings in the ward, at which 7,361 pupils are in attendance. Some of these, of course, live outside the ward boundaries, but would naturally use the library agencies, as they use the schools within the ward.

"The congestion of population in this quarter of the city is very great. Ward 6 contains one and nineteen hundredths per cent of the land area of the city, and five and thirty-three hundredths per cent of the city's population is found in it. The number of dwelling houses (exclusive of hotels) is 1,513, and allowing for the nine unoccupied houses the resident population approximates twenty-four to each house. The average in the city at large is a little less than ten persons in a house. About one-third of the families in the ward are living in tenements of two rooms each, and about one-third in tenements of three rooms each. This congestion is increasing rather than diminishing. Conditions as to sanitation may have improved slightly in ten years, but the increase in population during the last five years is nearly twenty per cent, while the gain in the city at large has been but twelve per cent. Five years ago the population in Ward 6 numbered about 102 to the acre. To-day it averages 122 persons to the acre as against 27 per acre in the city at large. This acreage includes, of course, the streets and all open spaces, but even so it will be seen that Ward 6 has an extraordinary congestion.

"Anyone familiar with the city knows that there has been no increase of living space in the North End in the last five years, or, indeed, in the last decade. The land was all built over many years ago, and the tenements were full to overflowing when the state census was taken in 1905. Yet since that time more than five thousand persons have been added to that teeming population.

"The committee finds, then, in Ward 6 a large and increasing population, made up chiefly of foreign-born elements, having a large number of children, and these children notable among the city's girls and boys as having eager, acquisitive and ambitious minds. Their longing for books amounts to a passion. They find in reading all the romance and imaginative experience for which childhood so ardently seeks. Moreover, the use of books by these children must in most cases be confined to the rooms provided by the city. Reading at home is impossible for a twelve-year-old boy when his five younger brothers and sisters are crowded into a two-roomed tenement, in which all the domestic work of the household is conducted, and where the short winter days are lengthened only by the light of one kerosene lamp.

"Under all these circumstances, the cry for better library facilities for the North End of Boston should not go another year unheeded. Your committee feels thrust upon them the solemn responsibility of speaking for those who cannot speak for themselves. No child of the thousands who play on the streets of that part of the city should ask the City of Boston for a book and be sent empty-handed away.

"It is difficult to state the conditions, the need, the opportunity, too strongly. The chairman of this subcommittee will not soon forget a single incident which she witnessed in the squalid North street reading room. The books were being distributed from the big wooden chest, while the children crowded about as at the unearthing of hid treasure. One little chap on crutches waited impatiently in the background. It seemed as if the last book had been taken out when his thin voice cried, 'Oh, teacher, aint my Brownie book come?' There was a whole world of bitter disappointment in his tone. Then from the very bottom of the box his Brownie book was brought forth, he snatched it, tucked it under his arm, swung bravely off on his crutches to a corner of a table, seated himself, buttressed his elbows on the table and his head on his hands, and in two minutes had left behind him lameness and poverty and ignorance, and had become one who might well be the envy of a king.

"The demand of these children is not only for fairy stories and for all the mass of imaginative material in the general class of 'juvenile literature,' but also for the books which open the world of nature and of art to their minds. 'A book all about moths,' 'a book where I can learn how to call the stars,' 'a book with pictures of the North Pole,' these are the sort of requests which pour into the ears of the attendants in the children's room in the North End. Surely if the city has any duty, she has a duty to the children of these newcomers who have yielded to her dangerous lure; and a first step in that duty is the satisfaction of their voracious hunger for books."

In this urgent state of affairs the trustees have deemed it their duty to ascertain whether some method could not be devised for providing the North End with suitable library accommodations, and to bring the same to your Honor's attention. They have therefore fully investigated the matter of obtaining land and building for a branch library at the North End. They find that the city can purchase an estate now occupied by the Church of St. John Baptist, on North Bennet street, comprising 4,980 feet of land with a substantial building thereon, for the assessed valuation of $38,000, and they have taken an option to the city to purchase the estate at any time within ninety days from March 15, 1911, at that price, which they believe to be reasonable. This estate is, in the judgment of the trustees, properly located to serve library purposes in Ward 6. It is near the main avenues of travel but sufficiently removed therefrom to avoid noise of street cars and teams. It is nearly opposite the open grounds connected with the municipal gymnasium, and in the vicinity of several large schools which would be served by the library station. The building is approximately 56 feet by 71 feet in size.

The trustees have had the building carefully examined by Messrs. Maginnis & Walsh, architects, who report to them that the walls and foundation are in good condition and of adequate thickness to permit remodeling for library purposes, and also that it is feasible to make such changes and reconstruction of the building as will provide two stories, each with a floor area of approximately 3,500 square feet, and a flat roof. Such reconstruction would give an adequate room for adults and a small hall seating about 325 persons on the first floor; and on the second floor good reading and reference rooms for children, with excellent top lighting. Provision can also be made if desired, for an open-air reading room upon the roof for summer use. New heating apparatus could be placed in the basement, which would also amply provide for storage and work rooms. The character of the building as thus remodeled is shown by a sketch of the front, provided by the architects, which is herewith transmitted. Rough plans of the interior as remodeled are in preparation but they are of substantially such changes as have been above indicated. The cost of making these changes in the building has been estimated by the architects at $38,000 for second-class construction, which in this case would, as we understand, be permitted, or $42,000 for first-class fireproof construction. The difference is so slight that we are of the opinion it would be better economy in the long run to adopt the fireproof method of construction. We append a copy of the estimate.

In conclusion we beg to say that in making this recommendation as to the needs of the North End we are not unmindful of the needs of various other parts of the city for improved library service, notably East Boston, the district served by the Broadway extension reading room, and Charlestown. But it is impossible that all these needs should be met at once, and we are of the opinion that the improvement which we suggest at the North End should be undertaken and carried out now, to the end that thereafter improvements of a similar character may be made in other parts of the city which may be found to require them and where they can be provided within the means at the command of the city.

We earnestly request, therefore, that an appropriation be made sufficient to enable the trustees to purchase the land at the price of $38,000, and to remodel the building at an expense of $42,000, making $80,000. In addition to this the appropriation should include $5,000 for the expense of fittings for the building for library use, making a total of $85,000, to accomplish the purpose the trustees deem desirable.

Respectfully,
J. H. BENTON, President.

(Inclosures.)

Estimate.

March 10, 1911.

Dear Sir,—We estimate the cost of remodeling the building on North Bennet street, in accordance with the sketches which we have made on the basis of the scheme suggested by you, at approximately $38,000 for second-class construction and $42,000 for first-class construction.

We ought to add that the building law will sanction second-class construction in this particular case. The difference in cost, however, is so slight that you may be disposed to accept our recommendation in favor of the fireproof method.

Very truly yours,
MAGINNIS & WALSH.

Referred to the Special Committee on Branch Libraries.

APPOINTMENT OF JOHN M. MINTON.

The following was received:

City of Boston,
Office of the Mayor, March 29, 1911.

To the City Council:

You are hereby notified that I have this day appointed John M. Minton to serve as chairman of the Board of Election Commissioners and as a member of the Listing Board, both appointments being for the term of one year beginning with the first day of April, 1911.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

John M. Dorsey, for compensation for injuries caused by a defect in highway, corner Massachusetts avenue and Boylston street.

Daniel C. Earle, for compensation for injuries received.

John Barry, for compensation for stopping up of drains at 17 Shirley street and 10 Rockford street.

Mary A. McCarthy, for compensation for injuries received from a fall on a crosswalk at or near 1226 Tremont street.

Nellie M. Poole, for a hearing on her claim against the city.

Edward Brown, for compensation for injuries to his daughter by her falling on sidewalk in front of the Gaston School.

Executive.

On petitions for sidewalks of artificial stone, viz.:
Edward A. Moore, 35 Rockwell street, Ward 24.
John A. Havey *et al.*, Mendum street, Ward 23.

MINOR'S LICENSES.

President COLLINS submitted petitions for minors' licenses for twenty-nine newsboys, four bootblacks and seven vendors—recommending the approval of the same.

Licenses were granted on the usual conditions.

NOTICE OF HEARING.

Notice of hearing was received from the Harbor and Land Commissioners on March 29, on petition of the Boston Coal Storage & Terminal Company for license to build sea wall at East Boston.
Placed on file.

NOTICE OF APPOINTMENT.

Notice was received from the Mayor of the appointment of Joseph P. Manning to be a Hospital Trustee, certified copy of which was delivered to the Civil Service Commissioners on April 1, 1911.
Placed on file.

WITHDRAWAL OF APPOINTMENT.

Notice was received of the withdrawal of the appointment of Timothy J. Falvey as Hospital Trustee.
Placed on file.

KEEPING OF GASOLENE.

Notice was received of the use of the following named buildings, in which to store gasolene, and of intention to use same for that purpose for the ensuing year, viz.:
E. C. Powers, 301 Fuller street, Ward 24.
Buick Motor Company, 17–19 Lawton street, Ward 11.
Placed on file.

NOTICE OF CONTRACT.

Notice was received from A. S. Parker Weeks, of contract for shoeing of horses and other blacksmith's work with the Fire and Public Works Departments.
Placed on file.

ADMISSION TO SCHOOL.

Notice was received of the admission of Thomas M. Conway to the Smith Agricultural School at Northampton
Placed on file.

ADDITION TO LOCATION.

A copy of an order was received from the Street Commissioners granting the West End Street Railway Company an addition to its existing location as follows: On Bunker Hill street, Charlestown district, between Pine and Decatur streets, an additional cross connection, 346th location.
Placed on file and ordered printed.

ATTACHMENT OF WIRES.

Copies of orders were received from the Street Commissioners granting permission to the Edison Electric Illuminating Company of Boston to attach its wires to four poles of the New England Telephone and Telegraph Company on Harvard street, north east of Austin street; to two poles of the New England Telephone and Telegraph Company on Faneuil street, between Dunboy street and Oak-square avenue; and to six poles of the Boston Elevated Railway Company on Washington and Pease streets, Ward 23.
Placed on file.

WITHDRAWAL OF REQUEST FOR HEARING.

The following was received:

Boston Disposal Company,
511 Ford Building, Boston, April 3, 1911.
The Honorable City Council, Boston, Mass.:
Gentlemen,—We hereby withdraw our request for a public hearing at the present time.
Very truly yours,
Boston Disposal Company,
by Frederick H. Payne,
President.
Referred to the Executive Committee.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up Nos. 1 and 2, unfinished business, viz.:
Action on appointments submitted by the Mayor March 27, viz.:
1. Robert N. McClellan, to be a Constable of the City of Boston for the term ending April 30, 1911.
2. Emanuel A. Shaw, to be a Weigher of Coal and a Measurer of Wood and Bark for the term ending April 30, 1911.
The question came on confirmation. Committee, Coun. McDonald and Ballantyne.
Whole number of votes cast 7, yeas 7, and the appointments were confirmed.

SIDEWALK, MILLET STREET.

President COLLINS offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Millet street, between Athelwold street and Talbot avenue, Ward 20, said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, under the provisions of chapter 437 of the Acts of 1893.
Passed.

TRANSFER OF CITY LAND.

President COLLINS offered an order—That the care and custody of the piece of land at corner of Blue Hill avenue and Seaver street be transferred from the Department of Public Works to the Public Grounds Department.
Referred to the Committee on Public Lands.

PLAYGROUND, JAMAICA PLAIN DISTRICT.

Coun. ATTRIDGE presented a petition signed by Thomas Sherwin and twenty-nine others, asking for a hearing in relation to the need for a playground in the Jamaica Plain district.
Referred to the Committee on Finance.

CITY HALL ANNEX.

Coun. KENNY called up No. 4, unfinished business, viz.:
4. Report of Committee on Finance recommending the passage of the following:
Ordered, That from the cash surplus in the treasury there be appropriated the sum of $800,000, to be expended by the Superintendent of Public Buildings, after plans and specifications shall have been approved by the City Council, and the contract for the same shall have been approved by the Finance Commission, for the erection of an annex to City Hall on the site of the present Old Court House.
Coun. KENNY—Mr. President, this is a matter of so large a financial character and so much concern to the business interests of the entire city that I move, before taking final action to-day or hereafter, that this proposed construction of a City Hall annex on the site of the Old Court House be referred to the Finance Commission for investigation and report, with an expression of the hope that we will have a report by next Monday.
Coun. Kenny's motion was carried.

CONNECTION OF RAILWAY TRACKS.

Coun. SMITH offered an order—That the Boston Elevated Railway Company be requested, through his Honor the Mayor, to connect tracks on Talbot avenue with tracks on Dorchester avenue, so as to provide for the cars which are now left standing on Talbot avenue.
Coun. SMITH—Mr. President, in regard to this matter I would like to say that usually there are two or three cars standing on the Talbot avenue line where they come to a dead end, near Dorchester avenue. This is a hindrance not only to traffic but a fire menace to the district, because the fire engine on Dorchester avenue is directly opposite where

these cars are left standing, and an engine coming out of the house in answer to a fire call in that end of the town would be obliged to pass around these cars. Because of that and because of the fact that the cars could be better taken care of in the car barns near the Milton line it has seemed to me wise to put in this order. I hope it will go through believing that it will not only prove a help in protecting the locality against fire but will be of help to the citizens using that line of cars. The track necessary is only about 100 feet, to the bridge that they were waiting to have finished before they made this improvement. That has now been built, so there is now no valid objection to connecting the tracks.

The order was passed.

MAINTENANCE OF CEMETERIES.

Coun. SMITH offered an order—That the Cemetery Trustees be requested, through his Honor the Mayor, to submit a report to the City Council showing just what charge should be made on each lot for the permanent maintenance of the buildings, drives, grounds, etc.; also to state in what way money collected for the above purpose should be handled.

Coun. SMITH—Mr. President, this order is one that was brought to our attention during the consideration of the budget. It is a matter that should have been dealt with some time ago. Cemetery lots at present are sold and no stipulation is made for the upkeep of the grounds. There is a certain amount deducted for the upkeep of the lot itself, but no sum is taken for the maintenance of the cemetery buildings, the permanent drives, the open spaces, care of the seats and such other items as are permanent items. Sooner or later this will result in a severe burden upon the city, and it seems to me that at this time we should ask the Cemetery Trustees to take some action on the matter in order that we of the city government can pass upon it. It is virtually wasting away the cemetery lands without any provision for the future upkeep of the permanent improvements.

The order was referred to the Executive Committee.

RECESS TAKEN.

The Council voted at 3.34 o'clock p. m., on motion of Coun. KENNY, to take a recess subject to the call of the President.

The members of the Council reassembled in the Chamber at 4.44 o'clock p. m. and were called to order by the President.

HEARING AT FOUR O'CLOCK.

5. On petition of the Old Colony Railroad Company, asking that the limits be prescribed within which land at Neponset may be taken for the purpose of making and securing its railroad and for depot and station purposes.

No objection. Referred to the Executive Committee.

RECESS TAKEN.

The Council voted at 4.47 o'clock p. m., on motion of Coun. ATTRIDGE, to take a recess subject to the call of the President.

The members of the Council reassembled in the Chamber at 6.24 o'clock p. m. and were called to order by the President.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Report on order (referred to-day) that the Cemetery Trustees be requested, through his Honor the Mayor, to submit a report to the City Council showing just what charge should be made on each lot for the permanent maintenance of buildings, etc.,—that the order ought to pass.

Report accepted; order passed.

(2) Report on communication from Boston Disposal Company (referred to-day) relative to public hearing—that the same be placed on file.

Report accepted; said communication placed on file.

(3) Reports on petitions (referred to-day) for sidewalks—recommending the passage of orders that the Commissioner of Public Works make sidewalks on the following named streets in front of the hereinafter named estates; said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, under the provisions of chapter 437 of the Acts of 1893, viz.:

Edward A. Moore, 35 Rockwell street, Ward 24.

John A. Havey *et al.*, Mendum street, Ward 23.

Reports accepted; orders passed.

(4) Report on message of Mayor, communication and order (referred March 20), transferring custody of municipal building on Blossom street from Superintendent of Public Buildings to the Bath Trustees—that the order ought to pass.

Report accepted; order passed.

COMMITTEE APPOINTMENTS.

President COLLINS announced the appointment of the following committees:

Committee on Brigham Will Hospital, Coun. Kenny, Ballantyne, Buckley.

Committee on Parkman Fund, Coun. Kenny, Attridge, Hale, McDonald, Collins.

On motion of Coun. BALLANTYNE it was voted that the President appoint a committee of three to take charge of the exercises on Memorial Day, and President COLLINS appointed Coun. Ballantyne, Smith and Hale said committee.

On motion of Coun. BUCKLEY it was voted that a committee of three be appointed to be known as the Columbus Day Committee, and President COLLINS appointed Coun. Buckley, Kenny and McDonald said committee.

TAXATION OF TRUST SAVINGS.

Coun. SMITH offered the following:

Resolved, That the Boston City Council approves the immediate passage of House Bill 774 for taxing deposits in the savings banks departments of trust companies.

Coun. SMITH—Mr. President, the reason why I bring this up now is because, as we all know, the recent action of the Legislature in postponing action upon this bill has deprived the City of Boston of an immense amount of taxes for the current year. Last year the same matter was under consideration and the City of Boston lost taxes on several million dollars placed in these departments of trust companies. Under the law those deposits were taxed last year at the rate of $\frac{1}{8}$ of 1 per cent instead of at the rate of the local tax. That is, they were taxed at $1.25 a thousand instead of at our local tax rate here in Boston. This year, there being a sliding scale, those same deposits are taxed only $2.50, or $\frac{1}{4}$ of 1 per cent, instead of at the rate of our local tax. To anybody who has watched the operations of the savings banks departments of the trust companies it is pretty obvious, as brought out in discussion of the measure before the Legislature, that that department is taken advantage of by men who wish to avoid a large part of their tax. Money lying in a national bank, when the first of April approaches, is transferred to the savings bank department of a trust company, and that tax largely avoided. The recent action or inaction of the Legislature permits of the same thing being done this year, and the net result to the City of Boston is an absolute loss of thousands of dollars. In so far as members of the Legislature from the City of Boston voted in favor of that inaction, they deserve our disapprobation, they deserve almost our censure. They by their action assisted in depriving the City of Boston of a considerable amount of taxes. In order not to have this occur a third year, it seems to me advisable to pass this resolution, to show the people at the State House that the City of Boston, if no other municipality, is alive to the fact that it is losing taxes in large amounts through such a bill as House Bill No. 774 not being passed. It seems to me we should take this matter seriously, that we should impress upon the Legislature the necessity for action. It is important to our city in dollars and cents, and we must impress upon the representatives, at least those from Boston, the necessity of acting upon this matter, so that a third year will not go by and we will not for a third time lose money that should come to us. I hope, therefore, we will take immediate action in favor of that bill.

Coun. BUCKLEY—Mr. President, I would like to ask Coun. Smith, through you, if that bill went through immediately, whether the City of Boston would get its taxes on those deposits for this year?

Coun. SMITH—No, it would not. I meant to make that plain. The tax is assessed as of April 1, and April 1 has passed; but it would operate for the coming year, and, while we may think the bill is sure to go through another year and this thing is not apt to happen again, nevertheless we thought that last year and were disappointed. It seems to me time to act upon this now, while the matter is before the Legislature, not waiting for the bill to be introduced a third time next year.

Coun. BUCKLEY—Mr. President, I am heartily in favor of doing anything that will bring to Boston the taxes it ought to have. At the same time I am not so much in favor of taxing the deposits of poor people in savings bank institutions, people who are already bearing more than their share of the burdens of the community. It seems to me, however, that the Council has no right to interfere with legislative matters, that it has no right even to censure the members of the Legislature from Boston, no matter what their attitude has been. They are answerable to their constituents, just as we are answerable to ours. While it may be well sometimes to pass resolutions and send them to the Legislature, I do not believe that is what we were elected for by the citizens of Boston. I wanted to talk this way when other resolutions were introduced but because of certain things I kept my mouth closed and did not do so. But it seems to me we ought to get down to the business of the city and not interfere with the business of the Legislature. We are going a little too far. Let us get down to the real solid business of the city, for which we were sent here. I am in favor of passing this resolution to-day, or of anything that will bring to Boston that which it ought to have. But here we are just a shade too late. Why were these resolutions not introduced last week, when they might have been of some advantage to us if we could have hurried the Legislature up to pass the measure so that the City of Boston could have reaped the benefit this year.

Coun. HALE—Mr. President, as long as Coun. Buckley says he is in favor of these resolutions I don't suppose there is really any need for further argument in favor of them, but I should like to offer an amendment if agreeable to Coun. Smith. That is, I would like to have the City Council instruct or request the members of the General Court who reside in the City of Boston to vote for this bill. I should like to offer that as an amendment.

The resolution was amended by adding the words "and requests the representatives in the General Court from Boston to vote in favor of said bill."

The question came on adopting the resolution as amended.

Coun. SMITH—Mr. President, I don't want any misunderstanding about this. Of course, it does not in any way affect savings banks, and in practice it does not affect small depositors. It relates only to the savings banks departments of trust companies, and if last year is any criterion of this year, amounts of money in very large volume, running up to $50,000 and $100,000, are deposited in such savings banks departments, being drawn from the national banks. So I don't think it is possible to construe the bill referred to as doing any injustice to poor and small depositors.

Coun. BUCKLEY—Mr. President, as I said before, I am in favor of any resolutions which will bring to the City of Boston the money to which it is entitled. At the same time I wonder if we will not be a sort of a joke when we pass this resolve as it is amended. When we request our senators and representatives to vote for this measure, aren't they up there to do as they think is right and aren't they answerable to the public, just as we are, for their votes? It seems to me it is a pretty serious thing for us to say to the senators and representatives, "You vote this way," or even to ask them to do so. What would we say if they should come down here with resolutions from the State House asking or requesting us to vote a certain way? It is a pretty serious proposition, and I don't think we have any right to ask our senators and representatives to vote a certain way. I am in favor of the resolutions without the amendment, but with the amendment I am not.

Coun. SMITH—Mr. President, it seems to me we have the greatest right to ask them to vote in favor of the bill, because this is a dollar and cents matter with the City of Boston. We are vitally affected. We are more affected than any other city in the state and it is a part of our tax question, an important part of our tax question. That being so, it seems to me we have a right to request their votes in favor of the bill which will give us the greatest amount of taxes, taxes in proportion to those borne by other personal property in this community, from the amounts now deposited in the savings banks departments of these trust companies.

The resolution as amended was adopted.

HIGHER PRESSURE SERVICE.

Coun. SMITH called up unfinished business, No. 3, viz.:

3. Resolved, That the City Council of Boston favors the passage of the bill now before the Committee on Cities enabling the City of Boston to appropriate and spend money for a higher pressure fire service.

The resolution was adopted.

GENERAL RECONSIDERATION.

Coun. BALLANTYNE moved a general reconsideration on all matters acted upon to-day, hoping the same would not prevail. Lost.

Adjourned at 6.41 p. m., to meet on Monday, April 10, at three o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 10, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair, and all the members present.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

JURY LIST.

The following was received:

City of Boston,
Office of the City Clerk,
City Hall, April 10, 1911.

To the Honorable City Council:

You are herehy notified that the Board of Election Commissioners on this day delivered to me a certified copy of Document 55 of 1911, heing a list of names, prepared hy said Election Commissioners in accordance with the provisions of law, of persons liahle to serve as jurors.

Respectfully,
W. J. DOYLE,
Assistant City Clerk.

Placed on file.

President COLLINS offered an order—That the City Clerk he hereby directed to cause the names on the jury list as transmitted to him hy the Board of Election Commissioners to he written each on a separate ballot, folded and placed in the box provided for the purpose.

Passed.

OBJECTION TO GARBAGE DISPOSAL.

The following was received:

City of Boston,
Office of the Mayor, April 7, 1911.

To the City Council:

The accompanying letter from Representative Charles L. Carr, who writes in hehalf of the Harrison Square Improvement Association, opposing the use of the wharf helonging to the City of Boston on Freeport street for garhage disposal purposes, and requesting that a hearing he held if any further action is to he taken, is transmitted herewith for your information.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Commonwealth of Massachusetts,
House of Representatives,
Boston, March 30, 1911.

Hon. John F. Fitzgerald,
City Hall, Boston, Mass.:

Dear Sir,—A committee of the Harrison Square Improvement Association was to-day appointed to oppose the use of the wharf helonging to the City of Boston on Freeport street, Harrison square, for garbage disposal purposes. This is not the first time the project has heen under consideration. People of the locality have fought the project hefore successfully. If any further action is to be taken by the city government in the matter the committee of the Improvement Association requests a hearing.

Yours very truly,
CHARLES L. CARR.

I have sent a duplicate of this letter to the Commissioner of Puhlic Works.

Referred to the Executive Committee.

IMPROVEMENT OF CHARLESTOWN PARKS.

The following was received:

City of Boston,
Office of the Mayor, April 7, 1911.

To the City Council:

I beg to transmit a communication from the secretary of the Charlestown Improvement Association, requesting that some portion of the Parkman Fund be used in beautifying the parks and playgrounds in the Charlestown district.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Charlestown Improvement Association,
April 4, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—At the last meeting of this association it was voted to ask you to request the Superintendent of Puhlic Grounds to set out as many trees in this district the coming season as the appropriation would allow, and to use some portion of the Parkman Fund in beautifying the parks and puhlic grounds in the district, paying particular attention to Park street as an approach to the Bunker Hill Monument.

Yours very truly,
DANIEL A. MCVARISH,
Secretary.

Referred to the Committee on Parkman Fund.

OPENING OF CURTIS HALL.

The following was received:

City of Boston,
Office of the Mayor, April 8, 1911.

To the City Council:

In reply to your request, contained in an order passed at the meeting of March 27, that the Superintendent of Public Buildings inform the Council as to when Curtis Hall is to he opened to the puhlic for use as a municipal huilding, lihrary, etc., I heg to transmit a letter from the superintendent, in which he states that the building will be completed ahout August 1, hut notes that hefore it can he occupied it will be necessary to provide the sum of fourteen thousand dollars ($14,000) for maintenance during the last six months of the present financial year. Appended to his communication is a copy of a letter from the A. Varnerin Company, who are the contractors for the reconstruction of the building.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Office of Puhlic Buildings Department,
April 5, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—Regarding the inclosed order of the City Council requesting information as to when Curtis Hall will be opened to the public for use as a municipal building, library, etc., I wish to advise you that I anticipate that the said huilding will he completed ahout August 1 and send you inclosed herewith a copy of a communication which I have received from the A. Varnerin Company, who are the contractors for the reconstruction of the huilding, in which they specify the same date for completion.

Before the huilding can be occupied it will be necessary to provide the sum of fourteen thousand dollars ($14,000) for the maintenance of same during the last six months of this financial year.

The building to be occupied as a branch lihrary is a new building located on the same lot with the Curtis Hall huilding. It is now very nearly completed, hut not as yet accepted by me.

I have contracted for practically all of the furniture and furnishings, most of which is of special design, as approved by the librarian of the Boston Public Lihrary.

It will require six to eight weeks to finish the building.

Yours respectfully,
M. J. FISH,
Superintendent of Puhlic Buildings.

A. Varnerin Company,
General Building Contractors,
10 Tremont Street,
Boston, Mass., April 3, 1911.

Mr. Fish,
Superintendent of Public Buildings,
City of Boston:

Dear Sir,—In response to your conversation with our Mr. Varnerin a few days ago ahout delays at Curtis Hall we will say, on Septemher 2, 1910, his Honor the Mayor of Boston approved the contract with our company. The work was started immediately after his approval. You will, of course, understand that the difficulties of putting in new

foundations under the rear part of the building were such that it had to he handled very carefully; this we done. There were some delays caused by the necessity of shoring, which had to he done before any work could he started. When we did have a fair start the cold weather overtook us, which you know has been such that very little could he accomplished on the exterior of the building. However, the interior, to our mind, has progressed as well as could he expected with the difficulties we had to overcome.

The huilding at present is practically ready for plastering, and now that the cold weather has passed it will be a very short time hefore the grounds and exterior work is cleaned up.

Thc entire building will be ready for occupancy not later than August 1, 1911. This would make eleven months from the date of signing, which we consider is little enough time to complete a huilding of this kind, with the amount of work that had to be accomplished, as you know a reconstruction job is a different proposition than new work.

Hoping this explanation will he satisfactory to you and waiting further instructions, we remain,

A. Varnerin Company,
by Antony Varnerin,
Treasurer.

Referred to Executive Committee.

INDORSEMENT OF STREET LIGHTING PLAN.

The following was reccived:

City of Boston.
Office of the Mayor, April 8, 1911.

To the City Council:

I beg to transmit a letter from the assistant secretary of the Massachusetts State Branch of the American Federation of Lahor, indorsing a plan for a street lighting system presented by the Lamplighters' Union to the Commissioner of Public Works.

Respectfully,
John F. Fitzgerald, Mayor.

—

Massachusetts State Branch,
American Federation of Labor,
Boston, April 1, 1911.

His Honor John F. Fitzgerald,
Mayor of Boston,
City Hall, Boston, Mass.:

My dear Sir,— One of the greatest questions before the community is the question of municipal ownership, and we have had the matter of the Lamplighters' Union presented at the meeting of our executive hoard hy a committee from said organization, and a plan which they suhmitted to the Commissioner of Puhlic Works, as well as your Honor, which we helieve would be a great benefit to the community, if adopted.

At a meeting of the executive board held on March 29, it was unanimously voted to indorse the same. We have learned that each memher of the city government received a copy of the proposition suhmitted to the Commissioner of Public Works. We trust that the City Council will adopt it.

Trusting that it will meet with your favorable support, believe me to be

Respectfully yours,
Martin T. Joyce,
Assistant Secretary.

Referred to the Executive Committee.

LIGHTING CONTRACT, ETC.

The following was received:

City of Boston,
Office of the Mayor, April 8, 1911.

To the City Council:

I heg to transmit a letter from the Commissioner of Puhlic Works, accompanying a contract signed by him with the Rising Sun Street Lighting Company for the lighting of certain streets, tracts and areas in the city with approximately eleven thousand (11,000) gas lamps. In addition to this contract the commissioner has suhmitted for transmission to your honorable hody three bids for equipment from the Pressure Lighting Company, the Automatic Gas Lighting and Equipment Company and William A. Rumpf and Leo Rohinson, together with communications from the Lamplighters' Union and the Pressure Lighting Company, which were received after the hids were opcned, and a statement from the supervisor of street lighting, bearing upon the letters from Mr. R. Momand of the Pressure Lighting Company.

Respectfully,
John F. Fitzgerald, Mayor.

—

City of Boston,
Public Works Department,
City Hall, April 6, 1911.

To the Honorable the Mayor:

On Fehruary 11, 1911, the Commissioner of Puhlic Works advertised for hids for lighting certain streets, parks and alleys with approximately 11,000 gas lamps. At the same time the department also advertised for bids for furnishing the equipment, with a view to the city's doing its own lighting. On March 4, 1911, the hids were opened. The only bid received for furnishing, maintaining and operating approximately 11,000 gas lamps was from the Rising Sun Street Lighting Company, which hid, with my approval, I suhmit herewith for the consideration of the City Council and yourself. The Rising Sun Street Lighting Company now has the contract for lighting these lamps, and the proposal which is hefore you is a substantial reduction from the present price.

In connection with hids for equipment were received three proposals, which I also send for your information.

If the City Council should decide that it is for the hest interests of the city to purchase the equipment and do its own lighting, I will say that the cost of operation is prohlematical; and in this connection, I suhmit communications from the Lamplighters' Union and the Pressure Lighting Company, which were received after the hids were opened.

Very respectfully,
L. K. Rourke,
Commissioner of Puhlic Works.

(Anncxed were communications referred to and the contract, all said papers, with accompanying message, heing ordered printed as a puhlic document later in the meeting.)

Referred to the Executive Committee.

IMPROVEMENTS FOR PARK SYSTEMS.

The following was received:

City of Boston,
Office of the Mayor, April 8, 1911.

To the City Council:

I beg to transmit a letter from the chairman of the Board of Park Commissioners, giving a list of estimates for desirahle improvements connected with different portions of the Boston park system, some or all of which might be considered proper suhjects for loan appropriations.

Respectfully,
John F. Fitzgerald, Mayor.

—

City of Boston,
Board of Commissioners of the
Department of Parks,
Jamaica Plain, March 29, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston:

Dear Sir,—We herewith submit to you a list of estimates for desirahle improvements connected with different portions of the Boston Park, in order that when you arrange for a loan bill appropriations may he made for such of these as commend themselves to you and to those who vote for the appropriation.

1.	Improvement of the playground on Medford street, Charlestown		$11,580 00
2.	Copp's Hill terrace shelter		28,400 00
3.	Proposed changes in gahles of Franklin Field locker huilding		830 00
4.	Two gateways, Columhus Avenue Playground		980 00
5.	Ten gravel surface tennis courts, Blue Hill avenue, Franklin Field,		4,050 00
6.	Chestnut Hill Park:		
	Loaming and planting new addition, 2,600 cuhic yards loam at $1	$2,600 00	
	Planting	700 00	
			3,300 00

7.	Charlestown Heights:		
	400 linear feet fixed seats at $1.50....	$600 00	
	600 linear feet iron picket fence at $2,	1,200 00	
			$1,800 00
8.	Columbus Avenue Playground:		
	Grading.....		1,000 00
9.	Cottage Street Playground:		
	180 linear feet playground fence at $3,	$540 00	
	Grading.....	200 00	
			740 00
10.	Fellows Street Playground:		
	Sanitary building.....		5,000 00
11.	Forest Hills Playground:		
	Locker building.....		15,000 00
12.	Franklin Field:		
	Partial grading in accordance with general plan.....		10,000 00
13.	Franklin Park:		
	Paint shop and storehouse.....		20,000 00
14.	Marine Park:		
	Planting at Castle Island.....		5,000 00
15.	Mystic Playground:		
	Repairing and raising grade of sea wall.....		2,000 00
16.	Olmsted Park:		
	Boat landing.....	$7,500 00	
	Underground tool house.....	1,500 00	
			9,000 00
17.	Prince Street Playground:		
	Erecting shelters and fences....		2,500 00
18.	Rogers Park:		
	Sanitary and locker building.....	$15,000 00	
	Grading, loam and planting.....	2,500 00	
	Walls on Foster and Lake streets..	2,800 00	
			20,300 00
19.	Roslindale Playground:		
	Retaining wall.....		1,500 00
20.	Savin Hill Park:		
	Loam and planting,	$2,000 00	
	Steps.....	1,500 00	
			3,500 00
21.	Savin Hill Playground:		
	Purchase of strip of beach extending present beach, say..		15,000 00
22.	Strandway:		
	Sanitary building.....		12,000 00
23.	Grading newly filled ground.....		5,000 00
24.	West Fifth Street Playground:		
	Sanitary.....		1,200 00
25.	West Third Street Playground:		
	Sanitary.....		1,200 00
26.	Fens:		
	Two inches loam on playground, 3,200 cubic yards at $1.25.....	$4,000 00	
	Five inches loam on northerly marsh, 6,600 cubic yards at $1.25.....	9,250 00	
	Pumping plant for circulating water..	6,500 00	
	Underground tool house.....	1,500 00	
			21,250 00
27.	Commonwealth avenue:		
	Loam and planting from Brighton avenue to Warren street, and from Warren street to Chestnut Hill avenue.....		27,000 00
			$229,130 00

The loam for the Fens and the planting of Commonwealth avenue appeared in the list which we presented to you when asking for appropriations for maintenance, but as the amount we requested was not authorized by you and as the amount you did approve will not cover our full list of proposed work, we add these on this list.

In explanation of the above list we add the following notes:

1. On Medford street is an entirely unused and undeveloped lot in the control of the Park Department. We desire to plant it and grade it and make it an agreeable children's playground.

2. By building a two-storied shelter building across the whole width of the upper part of Copp's Hill Playground, with necessary toilets at the end of each story, a very large area would be given on which little children could play and their mothers could sit and sew and enjoy the extremely agreeable view and the fresh air. It seems to us that this would be equivalent to adding at very small cost a considerable playground in this neighborhood.

3. We desire to make these improvements on the locker building by way of making its finish worthy of the surroundings.

4. We desire to place two gateways in the fencing of this playground to add a certain value and dignity to the city property which lately has been, as you know, greatly improved but lacks this finish.

5. Tennis courts in Franklin Park are grass courts, and it is not possible to put up surrounding nets without marring the landscape. Although they are much enjoyed, they are not suited to vigorous or advanced tennis playing, and we desire to build on Franklin Field some courts where more advanced playing can be carried on. At present those seeking this convenience have to go to Wood Island Park.

6. This refers to improving the piece of land purchased by the Park Commission about four years ago and yet undeveloped.

7. The seats and fence at these heights, the construction of which was charged to maintenance and of a temporary character, are now in poor condition and it is necessary that they be renewed in a substantial manner.

8. There still remains a little grading to be done at this playground.

9. The improvements here suggested are desirable at this playground.

10. The improvements here suggested are very necessary at this playground.

11. The improvements here suggested are very necessary at this playground.

12. From time to time grading has been in progress as opportunity offered, with a view to bringing the field to final finished condition. We should like to continue this work, especially as it furnishes work for our men in winter which can be done economically at that time.

13. This building would be a desirable addition to the shops we now have at Franklin Park, especially as a safeguard against fire.

14. Nothing has been done in the way of planting at Castle Island. It is a very beautiful place and we should like to start the planting of trees and shrubs and have it done so as to gradually lead towards the original plan designed by Mr. Olmsted.

15. This is a very necessary repair and until it is made the playground cannot be put in proper order.

16. These improvements would add to the conveniences at Olmsted Park.

17. You will remember that we did not have enough last year to finish the work laid out for this playground, and this appropriation will take the place of a transfer of funds which was proposed at the end of the last financial year.

18. These improvements are much to be desired at this playground. The sanitary building is especially needed.

19. This playground is much used and very attractive, but towards the street the wall is unfinished and unsightly.

20. This park has been very carefully planted and put in excellent order except that it needs more loam and stone steps for the steep paths.

21. We have been offered a portion of beach without the land behind it and we think it would be very desirable for the city to thus extend the beach.

22. This building is very much needed indeed. The playground is very largely used and there are no conveniences there. The amount named, however, will only provide a sanitary building The amount should be larger, say $20,000, if lockers and spray baths are to be provided.

23. A good deal of land has been filled to add to the extent of the Strandway Playground, but we have no money with which to grade it.

24. As you know, a shelter has been built here, but we had no money with which to build a sanitary.

25. As you know, a shelter has been built here, but we had no money with which to build a sanitary.

26. The grade of the Fens has been, as you know, raised without any material expense to the city, but we haven't any money with which to cover it with loam. The pumping plant has been suggested in previous communications with you and we believe that it is very important to have it. Our suggestion that the water be led in from Charles river through the Fens and out from the marginal conduit does not meet with favor because we are

told the water cannot be spared from the basin, but the pumping plant proposed herewith will create a circulation through the Fens. Unless something of this sort is done we believe that it is only a question of time when the water in the Fens may give serious trouble.

27. This is an item which has repeatedly come before you. The extension of Commonwealth avenue should be planted with trees. We never have enough money with which to do this.

Yours truly,
ROBERT S. PEABODY,
Chairman.

Referred to the Committee on Finance.

APPOINTMENT BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, April 10, 1911.

To the City Council:

Subject to confirmation by your honorable body, I hereby appoint Anthony McNealy (172 Hampden street, Ward 17) a Constable of the City of Boston for the term ending April 30, 1911.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Laid over, under the law.

NOTIFICATION OF APPOINTMENTS.

The Mayor notified the City Council of the following appointments:

(1) Robert F. Clark (317 Beacon street, Ward 11), a director of the Collateral Loan Company, under chapter 11 of the Acts of 1876, for the term of one year, beginning with the first day of May, 1911.

(2) George E. Curran (2 Auburn street, Ward 18), a director of the Workingmen's Loan Association, under section 4 of chapter 108 of the Acts of 1888, for the term of one year, beginning with the first day of May, 1911.

(3) John D. Marks (89 Brunswick street, Ward 20), a director of the Chattel Loan Company, under chapter 415 of the Acts of 1907, as amended by chapter 236 of the Acts of 1908, for the term of one year, beginning with the first day of May, 1911.

Severally placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Mrs. G. O. Goldsmith, for compensation for a coat torn on a barrel at corner of Massachusetts and Commonwealth avenues.

Sarah Levy, for a hearing on her claim for injuries caused by a fall on East Seventh street.

Mrs. Wren MacLean, for compensation for damage to skirt torn by a barrel at corner of Massachusetts avenue and Commonwealth avenue.

Estate of Andrew F. McGettrick, for compensation for damage to estate at 66 Cabot street by the laying of a surface drain.

Executive.

Petitions for permits for children under fifteen years of age to appear at various places of amusement, viz.:

Rev. William J. Finn, for children to appear at Symphony Hall on the evening of April 26.

Charles J. Jones, for Lena Austin to appear at Trenton Street Baptist Church on April 19.

Elizabeth I. Strittmatter, for children to appear in Ward 17 wardroom on the evening of May 17.

Grace L. H. Steward, for children to appear at Paul Revere Hall on the evening of April 18.

Petitions for sidewalks were received as follows:

(Brick.)

William E. Wight, 141 Boston street, Ward 16.
James H. Clapp, 143 Boston street, Ward 16.
William E. Wight, 28 Dorset street, Ward 16.
James H. Clapp, 42–44 Dorset street, Ward 16.
Arthur Lewenberg, 889–895 Dorchester avenue, Ward 16.
Katherine F. Nelson, 140 Norfolk street, Ward 24.

(Brick with Granite Edgestone.)

Harry Greene, 117–119 Falcon street, Ward 1.
Harry Rosenfield, 9–11 Thorndike street, Ward 17.
Matthew O'Donnell, 808 Parker street, Ward 19.
Charles H. Cronin, 101–103 Wachusett street, Ward 23.
Thomas T. Goodale, 217 Ashmont street, Ward 24.
Fred H. Woodward, 227 Ashmont street, Ward 24.

(Gravel with Granite Edgestone.)

J. W. Bergin, 1093 Saratoga street, Ward 1.
Jacob Swartz, 136–146 Harold street, corner Holworthy street, Ward 21.
Joseph Lewenberg, 20 Canterbury street, Ward 23.
Norman Clarke, 49–51 Withington street, and to the corner of Torrey street, Ward 24.

(Artificial Stone with Granite Edgestone.)

Gabriele Stabile, 190–192 North street, Ward 6.
Conveyancers Title Insurance Company, 10–14 School street, Ward 7.
Trustees of Municipal Real Estate Trust, 150–152 Summer street. 19–35 High street and 175–177 Federal street, Ward 7.
Joseph Gridley, 230 Tremont street, Ward 7.
Jessie B. Hayes, 19 Bay State road, Ward 11.
Arthur W. Cole, 291–293 Northampton street, Ward 12.
Allan W. Brown, 38 Bullard street, corner Nottingham street, Ward 20.
Henry Rockett, 50 Bowdoin street, Ward 20.
Charles C. Ryder, 111 Bowdoin street, Ward 20.
C. M. Mowatt, 48–52 Bowdoin avenue, corner Bullard street, Ward 20.
C. M. Mowatt, 45–49 Bullard street, Ward 20.
Boyd & Berry, 95–101 Draper street, Ward 20.
H. A. Brehaut, 39–41 Mt. Everett street, Ward 20.
W. H. Crosby, 45 Mt. Everett street, Ward 20.
A. R. Gilliland, 5, 7, 17, 19, 21, 27, 29, 31 Pleasant street, Ward 20.
Frederick J. Rockwell, 51 Stanley street, Ward 20.
John F. Griffin, 22 Wales street, Ward 20.
William E. Wight, 52–56 West Tremlett street, Ward 20.
William H. Crosby, 300–306 Washington street, Ward 20.
Patrick J. Lyons, 28 Edison green, Ward 16.
Mary A. Stammers, 1 Robin Hood street, Ward 16.
George V. Wattendorf, 23–25 Roseclair street, Ward 16.
Morris Weinstein, 81 Holworthy street, Ward 21.
Morris Weinstein, 282 Walnut avenue, Ward 21.
Christian Gartner, 46 Spring Park avenue, Ward 22.
R. G. Crosby, 78 Armandine street, Ward 24.
Fred J. Rockwell, 84–88 Burt street, Ward 24.
James S. McGrath, 1538 Dorchester avenue, Ward 24.
William E. Douse, 111–113 Fuller street, Ward 24.
F. E. Marshall, 124–126 King street, Ward 24.
Jacob Simmons, 128 King street, Ward 24.
A. H. Rice, 116–122 King street, Ward 24.
James F. Flaherty, 312 Millet street, Ward 24.
Philip Long, 188–196 Norfolk street, and on Thetford avenue, Ward 24.
P. G. Henderson, Train street, corner Assabet street, Ward 24.
Fred J. Rockwell, 800–804 Washington street, Ward 24.
Walter Baker & Co., Ltd., 1215 Washington street, Ward 24.
Robert G. Jones, 22 Bradbury street, Ward 25.
Robert G. Jones, 86 Edson street, Ward 25.
Mildred B. Horgan, 90 Easton street, Ward 25.
Robert G. Jones, 52–58 Mansfield street, Ward 25.

Referred to the Executive Committee.

PLACING OF LAND.

The following was received:

City of Boston,
Law Department, April 10, 1911.

To the City Council of Boston:

Gentlemen,—Upon the petition of Charles H. Wentworth asking that the city join in his petition in the Land Court, dated January 23, 1911, I recommend that the petitioner be given leave to withdraw without prejudice.

Yours truly,
CHARLES FRANK DAY,
City Conveyancer.

(Accompanying the communication was the petition referred to.)

Referred to the Executive Committee.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted by the Secretary of the Commonwealth were received.
Placed on file.

NOTICES OF HEARINGS.

Notice was received from the Harhor and Land Commissioners of hearing on April 12, on petition of Alger Land Trust for license to fill solid at South bay.

Notice was received from the Railroad Commissioners of hearing on April 13, on petition of West End Street Railway Company, for approval of 342d and 346th locations.
Placed on file.

STORAGE OF EXPLOSIVES.

Notices were received that certain buildings were used for the storage of explosives, and of intention to use same for the ensuing year, viz.:
Francis H. Dillon, 16 Wood street.
George R. White, rear 354 Newhury street, Ward 11.
Edward A. Grant & Co., 111 Summer street.
Placed on file.

APPROVAL OF APPOINTMENTS.

Notice was received from the Civil Service Commissioners of approval of the following appointments by the Mayor, viz.:
William M. Murphy, to be Bath Trustee.
Robert S. Peahody, to be a Park Commissioner.
Samuel H. Durgin, to be a member of the Board of Health.
Charles Logue, to be a Schoolhouse Commissioner.

CITY HALL ANNEX.

The following was received:

Boston Finance Commission,
410–416 Tremont Building,
Boston, April 10, 1911.

To the Honorable the City Council:

Gentlemen,—The Finance Commission received from the Assistant City Clerk on April 4, 1911, the following communication:

April 4, 1911.

Boston Finance Commission:

Gentlemen,—The City Council has under consideration the following order:

Ordered, That from the cash surplus in the treasury there he appropriated the sum of $800,000 to be expended by the Superintendent of Public Buildings, after plans and specifications shall have been approved by the City Council, and the contract for the same shall have been approved by the Finance Commission, for the erection of an annex to City Hall on the site of the present Old Court House.

The City Council voted at its meeting on April 3, 1911, to request the Finance Commission to submit a report on or before the next meeting of the City Council, April 10, 1911, as to the advisability of adopting the said order.

Respectfully yours,
W. J. Doyle,
Assistant City Clerk.

The commission respectfully suggests that the order, in its present form, be not passed.

The order is ohviously designed to protect the city against loss resulting from the erection of the huilding under defective plans and specifications, or under a contract either defective in form or objectionahle because of circumstances connected with its award. To safeguard against such loss, the order in effect provides that no part of the money appropriated shall he spent until the plans and specifications have heen approved hy the City Council, and the contract has been approved by the Finance Commission.

In the opinion of the Finance Commission, the charter provisions impose limits upon the powers of the City Council and the Finance Commission respectively, which the order in question exceeds. The City Council has the power to vote appropriations, but in the opinion of the commission it has no power to compel the executive department to postpone the expenditure of the money thus appropriated until conditions annexed to the grant of money have been complied with. The Finance Commission possesses supervisory powers only under the charter, and cannot by vote of the City Council be authorized to exercise executive functions such as the order under consideration seems to require. The approval of the plans and specifications by the City Council, and of the contract by the Finance Commission, as conditions precedent to the expenditure of the money by the executive department would constitute participation in the executive business of the city and would therefore be contrary to existing law.

It would seem to follow, therefore, that if the appropriation were made under such an order as the one in question, the money would become availahle for the use of the executive department in the construction of the huilding, hut the conditions annexed to the appropriation could he disregarded. In other words, the executive department could adopt plans and specifications and make a contract for the erection of the building without submitting the plans and specifications to the City Council or the contract to the Finance Commission.

The City Council can, if it chooses, withhold the appropriation until plans and specifications are drawn which meet its approval, and until the form of contract meets the approval of the Finance Commission. The executive department, however, would not be required to submit the plans and specifications to the City Council or the form of contract to the Finance Commission, and if it should choose not to do so and the Council should thereupon decline to appropriate the necessary money, the erection of the annex would be indefinitely postponed.

The Finance Commission believes that the erection of an annex to City Hall upon the site of the Old Court House would he a practical solution of the problem of providing the additional accommodations needed, and would avoid the disadvantages resulting from the erection of a new City Hall at a distance from the present site, which would render it inconvenient to the general public in the transaction of its business with the various city departments. A modern office huilding on the Old Court House site, with a bridge across Court square, connecting the new huilding with City Hall, would facilitate the transaction of the administrative business of the city by bringing the various departments into closer relation, and would make a reduction in expenditures possihle, because of these improved facilities and the saving of rentals which would otherwise be necessary for outside accommodations.

The commission believes, however, that the City Council should request the executive department to furnish full information as to the plans for the new huilding, the probable cost, and the method which is likely to be employed in the selection of an architect and the award of the contract for the erection of the building. The commission suggests that the information should cover the following matters:

1. A statement showing the width of the streets surrounding the Old Court House site and the average width of the same.
2. An opinion from the Corporation Counsel as to the height to which the huilding could be erected under the provisions of section 18 of chapter 550 of the Acts of 1907; and also as to the legal right of the city to construct a bridge over the street, between City Hall and the proposed annex, if such a hridge should seem to be necessary.
3. A statement showing the dates of the expiration of the leases of various hired quarters occupied by city departments.
4. A careful estimate of the cost made by the Building Commissioner.

The commission suggests that after the douhts as to the legal right of the city to erect a huilding of the proposed height (125 feet), and to build the bridge aforesaid, have been cleared up, and after the City Council has received full information as to the plans and specifications, the form of contract, the estimates of cost, and other information which has previously been suggested herein as important, the appropriation should he made. The commission also suggests that the appropriation he accompanied by a resolution of the Council, expressing the opinion that the architect should bc selected after puhlic competition, in order to insure competent service at reasonable rates.

Respectfully submitted,
The Finance Commission,
by John A. Sullivan,
Chairman.

Referred to the Executive Committee which later in the session submitted a report recommending that the communication be placed on file.

Report accepted, communication placed on file.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses for nineteen newsboys, one bootblack and five vendors, recommending granting of the same.

Reports accepted; said licenses granted on the usual conditions.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up No. 1, unfinished business, viz.:

1. Action on appointments submitted by the Mayor April 3, 1911, of Maynard F. Moseley and John D. Smith, to be Weighers of Coal; and Maynard F. Moseley, to be a Measurer of Wood and Bark; severally for the term ending April 30, 1911.

The question came on confirmation. Committee—Coun. Smith and Kenny. Whole number of ballots cast 7, yeas 7, and the appointments were confirmed.

BUILDINGS FOR WARD 23 PLAYGROUND.

Coun. BUCKLEY offered an order—That the Committee on Finance be requested to include the sum of $10,000 in the first loan bill, said sum to be used for suitable buildings, lockers, etc., on Washington Street Playground, Ward 23.

Referred to the Committee on Finance.

INVESTIGATION OF WARDROOM RECONSTRUCTION.

Coun. SMITH offered an order—That a committee of three members of the City Council investigate the bids submitted for the reconstruction of the wardroom on Blossom street, Ward 8, into public baths, with special reference to the bids for plumbing.

Coun. SMITH—Mr. President, the reason why I bring this up is because we have had within a short time the change from the Public Buildings Department to the Bath Department of the construction of this building. It has been called to my attention that there are two separate sets of bids of general contractors on that building. The first one was advertised for in the *City Record*, and subsequently bids for special work to be done on plumbing, ventilating, etc., were asked for. Mr. Babson passed upon this as being against the law; therefore a second general bid was asked for. In the interim between those two the specifications were changed so that, instead of asking for shower baths of the type called "Webco," or shower baths equal thereto, the phrase in regard to having them equal thereto was stricken out, so that the specifications merely called for "Webco" shower baths. It is a curious coincidence that the "Webco" showers are made for, not by, the firm of F. W. Webb on Elm street, and that that firm also employs as its salesman Mr. Joseph Maynard, president of the Democratic City Committee. It is also a coincidence that Mr. McGrath, the head of the Bath Department, like Mr. Maynard, is a precinct captain in Ward 8, although neither of them live in the ward. While I am a very good friend of both of these gentlemen and wish to imply nothing whatever against them, or any irregularity in this contract, I think it was most unwise for Mr. Maynard, through his firm, F. W. Webb, to have insisted upon specifications in the contract for the Ward 8 bath house calling only for Webco shower baths. I think it is a matter for this Council to investigate—not only for our own satisfaction, not only to see that the money of the city is spent properly, but to clear Mr. Maynard and Mr. McGrath of any possible imputation against their action. This matter has come to me from several sources, and undoubtedly will cause comment about town unless it is taken up; and for their sakes, as much as for our own and the city treasury, I think it should be investigated by this body. I wish to make myself perfectly clear that I do not wish to impute anything against these gentlemen. I wish simply to say it is a fact that the specifications were changed and that all shower bath apparatus except "Webco" is now barred out. Of course I do not pretend to be an expert on these matters, but I am told also that there are other shower baths equally good, and that when the first bid was in there were estimates made for other apparatus, said to be equally good, at a reduction of $600 to $1,200 below the present bid. That is, I am told that $600 to $1,200 would be saved the city if we could get other apparatus besides "Webco" and that this other apparatus is said to be equally good. Therefore, it seems to me we ought to investigate this matter.

On motion of Coun. HALE the matter was referred to the Executive Committee. (See later in meeting.)

INVESTIGATION OF SOMERS TAX SYSTEM.

Coun. SMITH offered an order—That the Finance Commission be requested to investigate the so-called Somers System of tax assessment on real estate, now in use throughout the city of Cleveland, Ohio, and in partial use in many other cities; said report to be made with an idea of substituting the Somers System for the methods now used by the Assessing Department of Boston.

Coun. SMITH—Mr. President, we have heard a great deal through the papers and elsewhere in criticism of the Assessing Department of the City of Boston. That criticism, as far as I can make out, is based upon the fact that certain buildings are assessed for less than they seem to be worth. That is a criticism of the intelligence, ability and good faith of our public officials; it is not a criticism as to the system under which they are assessing our real estate. Any criticism of independent judgment is perfectly valid; but criticism if it ends there, is doing the city absolutely no good. Boston is reputed to be filled with men who are giving adverse criticism to our local institutions and with men who are doing the city no good by such criticism, because such criticism is not constructive. It seems useless to engage in that criticism year in and year out, to make political capital out of it, unless we substitute for it something that we think is better. I do not pretend to be an expert on the assessment of real estate, but there are methods other than those used by our Assessing Department. I have been at a little pains to look up one of these methods, which it seems to me is good enough to at least be investigated by our Finance Commission. If they report favorably upon it, I hope our body can adopt it. It is the so-called Somers system, used in Cleveland, Ohio. It differs radically from our present system, in that it is a more mathematical system than ours. Everything within the same block is taxed at the same rate. There can be under that system no criticism that one man is taxed more than his neighbor. It is a mathematical system and as such it would do away with all the adverse criticism now running through our newspapers and through political discussions in this community. If for no other reason, if it would do away with adverse criticism by one man against his neighbor, it seems to me it might be a good system to adopt. I will not go into the details of this system. They are rather intricate. But I certainly hope the order will be passed and that the matter will go to the Finance Commission, and I trust that they will make a speedy investigation and report.

Coun. BUCKLEY—Mr. President, I am heartily in favor of that order or anything that will bring a fair assessment on the real estate in Boston, but I take exceptions to some of the statements made by the gentleman from the Back Bay, when he says that the criticisms of different public officials are not constructive. I believe that every criticism which tends to the best interests of the city is constructive, and if the assessors have been negligent in their duty, if they have undervalued any property in this city, it seems to me that they ought to be criticised. They are public officials, and they are there to bring to the City of Boston the most money that it can possibly get, by giving a fair valuation to all the property in the city. If they have undervalued any pieces of property they ought to be criticised and criticised justly; and a criticism which does good for the city, in so far as it does that good, certainly is a constructive criticism.

The order was passed.

PRINTING OF DOCUMENTS.

Coun. SMITH offered the following:

City of Boston.

In the Year Nineteen Hundred and Eleven.

An Ordinance to amend Chapter 31 of the Revised Ordinances of 1898.

Be it ordained by the City Council of Boston, as follows:

Section 1. Section two of chapter thirty-one of the Revised Ordinances of 1898 is hereby amended so as to read as follows: "Said superintendent shall number and print five hundred and fifty copies of the mayor's inaugural address and of each of the annual and other reports made by the several departments to the mayor; and shall number and print four hundred copies of each of the other city documents; shall, from the said copies, as soon as printed, deliver to the city messenger for distribution, three hundred copies of the said address, of each of said annual reports, and of each of the other city documents; shall, as soon as practicable, from the said copies, bind and deliver to the mayor twenty-five sets of volumes, two volumes to each set, each set containing one copy of said address and one copy of each of said annual reports, and each volume entitled "Annual Report of the Executive Departments of the City of Boston for the year (naming the preceding year)"; and bind and deliver to the statistics trustees one hundred and twenty-five sets, and to the city messenger for distribution one hundred sets of volumes, each set containing one copy of each of the city documents of the preceding municipal year, numerically arranged; every volume so bound shall contain an alphabetical list of the documents therein. The preceding provisions shall not, unless specially provided, apply to any documents issued by special order of the city council nor to the volumes which the city registrar may deem proper to print, but said superintendent shall number and print, as a city document, sixteen hundred copies of each of said volumes of the city registrar, fifteen hundred of which he shall deliver to said registrar for distribution, and one hundred of which he shall bind with the one hundred sets of volumes to be delivered to the city messenger for distribution. He shall also print as a city document without any number three hundred copies of a volume to be prepared by the corporation counsel at the end of each session of the legislature, containing all special laws passed at such session relating to the city of Boston, and such others as he shall deem will assist the city council, or any department or officer, in the performance of its or his duties. He shall also print, on or before the first day of June in each year, a city document containing the lists of officials and employees of the city, referred to in section twenty-seven of chapter three.

Referred to the Committee on Ordinances.

STATE HIGHWAY, NORTH BEACON STREET.

Coun. SMITH offered the following:

Resolved, That the Mayor and City Council of Boston hereby petitions the Massachusetts Highway Commission, in accordance with section 5, chapter 47, of the Revised Laws, that North Beacon street, so called, within the limits of the City of Boston, be taken and maintained as a state highway.

Coun. SMITH—Mr. President, this meets with the approbation of the Mayor. It provides that the Highway Commissioners shall take and maintain North Beacon street, which, as you know, is a continuation of Commonwealth avenue and offers the most direct route through Brighton, Watertown, Waltham and Newton. As you also know, the Highway Commission have spent within the city limits of Boston no money except that on Washington street in West Roxbury—this in spite of the fact that Boston pays by far the larger part of the tax. It seems to me that this is no more than an act of justice, that some of the money should be spent within the city limits of Boston, and as this meets with the Mayor's approbation, I hope it will be passed.

Referred to the Executive Committee.

ROPING OFF CHESTNUT AVENUE.

Coun. SMITH offered an order—That Chestnut avenue in Jamaica Plain be roped off on the 19th of April, from Centre street to the Acme Club, between the hours of 10 and 12 a. m.

Passed.

ANNEX TO CITY HALL.

President COLLINS called up No. 3, past assignment, viz.:

3. Report of Committee on Finance recommending the passage of the following:

Ordered, That from the cash surplus in the treasury there be appropriated the sum of $800,000, to be expended by the Superintendent of Public Buildings, after plans and specifications shall have been approved by the City Council, and the contract for the same shall have been approved by the Finance Commission, for the erection of an annex to City Hall on the site of the present Old Court House.

Referred to the Executive Committee.

SIDEWALK ORDERS.

President COLLINS offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Standish street, between Harvard street and Park street, Ward 20, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 437 of the Acts of 1893.

Passed.

President COLLINS offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Weld Hill street, between Hyde Park avenue and the cemetery, Ward 23, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

BRANCH LIBRARY, SAVIN HILL.

Coun. BALLANTYNE presented a petition signed by W. E. Beaton, M. D., and very many others, asking for the establishment of a branch library and reading room in the vicinity of Savin Hill avenue and Sydney street.

In connection with the petition Coun. BALLANTYNE offered an order,— That the Library Trustees be requested, through his Honor the Mayor, to consider the expediency of locating a branch library and reading room in the vicinity of Savin Hill avenue and Sydney street, Dorchester, and to submit to the City Council, at its earliest convenience, an estimate of the cost of same.

Referred to the Committee on Branch Libraries.

BUILDINGS ON BACK BAY FENS.

Coun. HALE offered the following:

Whereas, The land occupied by the Back Bay Fens was purchased with the definitely expressed intention of using it solely for park purposes, and only such land acquired as was necessary for carrying out a carefully prepared design; and

Whereas, A vacillating policy in the management of any park is wasteful in the extreme, every change of purpose and design being a hindrance to the natural increase in the value of the park; and

Whereas, The residents of the Back Bay have paid betterments on account of this park, and transactions in abutting lands have been made upon the basis of the continued use of the Fens for park purposes; and

Whereas, It is therefore a grave legal question whether the Legislature has the right to authorize the diversion of this land to other uses without providing for the payment of damages, which would involve litigation and serious delay in the construction of the High School of Commerce and other school buildings; and

Whereas, There is a large amount of vacant land fronting on the Back Bay Fens which may be purchased for school purposes at reasonable prices; therefore be it

Resolved, That the members of the City Council oppose the passage of House Bill No. 573, or other legislation, permitting the erection of schoolhouses in the Back Bay Fens.

Referred to the Executive Committee on motion of Coun. KENNY.

PUBLIC HEARINGS, PLAYGROUND SITE.

Coun. CURLEY offered an order—That the Board of Park Commissioners be requested to give a puhlic hearing on the question of location of playground in Ward 19.

Passed.

LAYING OUT OF STREETS.

Coun. CURLEY offered an order—That the Board of Street Commissioners he requested to accept and lay out as puhlic ways Highland avenue and Southampton street.

Passed.

REPAIR OF STREETS, ROXBURY.

Coun. CURLEY offered an order—That the Commissioner of Puhlic Works be requested, through his Honor the Mayor, to cause Rogers avenue, Leon street and Greenleaf street to be placed in proper condition for public travel.

Passed.

INVESTIGATION OF BUILDING DEPARTMENT.

Coun. CURLEY offered an order—That a special committee of three memhers of the City Council be appointed hy the President to investigate the Building Department.

Coun. CURLEY—Mr. President, in connection with this order I desire to say that I do not question the honesty of the Commissioner of the Building Department, Mr. Everett, hut I helieve that if Mr. Everett really desires to he of service to the citizens in the capacity of Building Commissioner it would be advisahle for him to have his eyesight tested. The Building Department, and the manner of conducting the various inspection affairs of that department, is gradually becoming as great a scandal as the conduct of the Police Department. During the past year there has scarcely been a week in which the newspapers have failed to record one or more deaths due to gas poisoning. The numher of persons who have died as a result of gas poisoning in this city during the past few years almost equals the numher that have died of measles, and I helieve in the majority of cases it has heen due to the failure of the inspection force of the Building Department to adequately carry out the work for which they are appointed and paid. It is common knowledge through the city that, despite the fact that the statute requires that every location of a gas engine shall be advertised in the daily papers, gas engines have heen put in various buildings throughout the city without going through the formality of complying with the statutes and advertising the location. It is common knowledge that defective gas fixtures have been approved in various sections of the city hy the inspection force of the Building Department, and in many cases, in consequence of those defective fixtures, deaths have resulted from gas poisoning. It is common knowledge that some of the men employed as inspectors in the Building Department are interested in various mechanical devices connected with the gas fitting and plumhing trade; and if I were in Mr. Everett's position as Building Commissioner, I would think it advisahle to set off a portion of the office where they might conduct their private business, to which they pay more attention than to their public husiness. We find one man who has a patent on a trap, also a patent on a drinking fountain and a patent on an automohile cesspool, who places ads in the daily papers and invites persons interested in those devices to address him care of the Building Department, Old Court House. Another man in that department is interested in another plumhing trap. If some irresponsihle character is putting up a building in competition and makes a bid lower than a reputahle huilder can honestly suhmit, the only way in which he can hope to carry on that work profitably is by not complying with the law, and if he cares to put in a trap upon which some plumbing inspector has a patent he can put in any kind of plumbing under the sun and have it approved by that plumhing inspector, if it is in his district. If he puts in some particular kind of gas fixture upon which some inspector has a patent, he can put up any kind of death-dealing gas fixtures and have them approved. Now, if there is one hranch of the public service, with the possible exception of the Health Department, that deals more directly than another with the health of the community, it is the Building Department, and it is the place where the services of an inspector should he honestly administered. It is a place where a man who honestly does his work and who tries to do it best for the interest of the city should be protected. But apparently the rule of the department is to protect the incompetent at the expense of the competent in the department, and if a man is competent and insists that the builders live up to the law, it has heen the custom for the huilders in the past to have the man shifted to some other district where he will not injure their interests by compelling them to live up to the requirements of the statute. I have no desire to serve on this committee. But the Building Department to-day, under the auspices of the present commissioner—who I helieve is an ahsolutely honest man—is conducted along the same lines as the House of Mirth at Revere Beach. You can get anything you want, provided it is as it should not be. I believe if an investigation were made by a committee of this Council they would uncover enough to warrant the cleaning out of that household, and I helieve for the hest interests of the city that it should be done. A family moves into a house that is newly constructed and where the gas fixtures are defective. Proper tests have not heen made, for excellent reasons, The family retires at night with the gas turned on, and in the morning the police officer on the heat, or somehody else, calls up the City Hospital and tells them to send along all the ambulances they have to take the people in the house to the morgue. That is a condition of affairs that should not obtain. If there is any man there interested in a patent device from which he is deriving a revenue, it would be far hetter to advance that man a hundred or a thousand dollars and let him start in business somewhere else, instead of conducting his private husiness from a public office of the City of Boston. If there are men there interested in private devices, let them either resign their positions or give up their interests in the private devices. I helieve this is necessary for the welfare and protection of the general puhlic, and I sincerely trust that the committee when appointed will make a thorough investigation. If they do, I helieve we will have a better Building Department, and that the interests of the people of Boston will he hetter served.

The order was passed.

Later in the session Coun. BALLANTYNE said:

Mr. President, I move a reconsideration of the vote wherehy Coun. Curley's order was passed, requesting the President to appoint a committee of three to investigate the Building Department. If this motion prevails, I shall ask that the order be referred to the Law Department for their opinion as to the powers of the Council in that direction. There is some question as to the rights of the Council to investigate any of the different departments of the city. If that motion prevails I shall move that reference.

Coun. CURLEY—Mr. President, I may say that I have no ohjection to a motion to reconsider if there is a question as to our rights in the matter. The only thing is that if reconsideration prevails I helieve it would be advisable to settle the question, because it has always been customary to appoint committees to investigate, and I doubt whether that section of the statute has been abrogated hy the adoption of the present city charter. Is it your idea to have the entire matter referred to the Corporation Counsel?

Coun. BALLANTYNE—Yes.

Reconsideration prevailed, and the matter was referred, on motion of Coun. BALLANTYNE, to the Law Department for an opinion.

PUBLIC LANDS.

Coun. SMITH, for the Committee on Public Lands, submitted the following:

(1) Report on message of Mayor, communication from Schoolhouse Commissioners, preamhles and order (referred February 13), releasing 279 square

fect of land, more or less, to Jonathan H. Mann *et al.* —that the preambles and order ought to pass.

Report accepted; preambles and order read once and passed, yeas 9.

(2) Report on message of Mayor, communications, preambles and order (referred February 13), to release land in May street and Arborway—that the order ought to pass.

Report accepted; order read once and passed, yeas 9.

(3) Report on message of Mayor, communications, preambles and order (referred February 13), releasing rights in city land on Hemenway street on the Fenway—that the order ought to pass.

Report accepted; preambles and order read once and passed, yeas 9.

(4) Report on order (referred April 3) that the care and custody of piece of land at corner of Blue Hill avenue and Seaver strect be transferred from the Department of Public Works to the Public Grounds Department—that the order ought to pass.

Report accepted; order passed.

(5) Report on petition of Charles Lawton (referred 1910) for a release of the city's interest in land at 28 Austin street, Milton—that the order ought to pass.

Ordered, That his Honor the Mayor be and he hereby is authorized in a manner satisfactory to the Law Department, upon the payment of $5, to release unto Charles Lawton and his heirs and assigns all the right, title and interest of the city in and to lot numbered twenty-eight (28) on Austin street in Milton, containing about 5,000 square feet of land.

Report accepted; order read once and passed, yeas 9.

APPROPRIATION FOR HIGHWAYS.

President COLLINS called up No. 2, unfinished business, viz.:

2. Ordered, That the sum of three hundred thousand (300,000) dollars be appropriated for Highways, Making of, under the provisions of chapter 393 of the Acts of 1906, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On March 27 the foregoing order was read once and passed, yeas 6, nays 0.

The order was read a second time and again passed, yeas 8, nays 0.

SOLDIERS' RELIEF.

Coun. BUCKLEY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of April.

Report accepted; order passed.

RECESS TAKEN.

The Council voted, at 3.51 o'clock p. m., on motion of Coun. HALE, to take a recess subject to the call of the President.

The members of the Council reassembled in the Council Chamber and were called to order by the President at 6.16 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Reports on petitions (severally referred to-day) for permits for children under 15 years of age to appear at various places of amusement—that leave be granted, viz.:

Rev. William J. Finn, for children to appear at Symphony Hall on the evening of April 26.

Charles J. Jones, for Lena Austin to appear at Trenton Street Baptist Church on April 19.

Elizabeth I. Strittmatter, for children to appear in Ward 17 wardroom on the evening of May 17.

Grace L. H. Steward, for children to appear at Paul Revere Hall on evening of April 18.

(2) Report on resolve (referred to-day) that the Mayor and City Council of Boston petition the Massachusetts Highway Commission that North Beacon street, within the limits of the City of Boston, be taken and maintained as a state highway—that the same be referred to the Finance Commission for report.

Report accepted; said reference ordered.

(3) Report on order (referred to-day) that a committee of three members of the City Council be appointed to investigate the bids submitted for the reconstruction of the wardroom on Blossom street, Ward 8, into public baths—recommending reference of the same to the Corporation Counsel for his opinion as to the rights of the Council.

Report accepted; said reference ordered.

(4) Report on message of Mayor and order (referred April 3) authorizing sale of old voting booths, recommending the passage of the order in the following new draft:

Ordered, That the Board of Election Commissioners be, and hereby are, authorized to sell at public auction, at an upset price of not less than $25 each, certain iron voting booths, which are no longer required for the purposes of the Election Department.

Report accepted; order passed.

(5) Reports on petitions for sidewalks (severally referred to-day), recommending the passage of orders that the Commissioner of Public Works make sidewalks along the following named streets, in front of the hereinafter named estates, said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width and to be built as specified under the provisions of chapter 437 of the Acts of 1893, viz.:

Brick.

William E. Wight, 141 Boston street, Ward 16.
James H. Clapp, 143 Boston street, Ward 16.
William E. Wight, 28 Dorset street, Ward 16.
James H. Clapp, 42–44 Dorset street, Ward 16.
Arthur Lewenberg, 889–895 Dorchester avenue, Ward 16.
Katherine F. Nelson, 140 Norfolk street, Ward 24.

Brick with Granite Edgestone.

Harry Greene, 117–119 Falcon street, Ward 1.
Harry Rosenfield, 9–11 Thorndike street, Ward 17.
Matthew O'Donnell, 808 Parker street, Ward 19.
Charles H. Cronin, 101–103 Wachusett street, Ward 23.
Thomas T. Goodale, 217 Ashmont street, Ward 24.
Fred H. Woodward, 227 Ashmont street, Ward 24.

Gravel with Granite Edgestone.

J. W. Bergin, 1093 Saratoga street, Ward 1.
Jacob Swartz, 136–146 Harold street, corner Holworthy street, Ward 21.
Joseph Lewenberg, 20 Canterbury street, Ward 23.
Norman Clarke, 49–51 Withington street and to the corner of Torrey street, Ward 24.

Artificial Stone with Granite Edgestone.

Gabriele Stabile, 190–192 North street, Ward 6.
Conveyancers Title Insurance Company, 10–14 School street, Ward 7.
Trustees of Municipal Real Estate Trust, 150–152 Summer street, 19–35 High street and 175–177 Federal street, Ward 7.
Joseph Gridley, 230 Tremont street, Ward 7.
Jessie B. Hayes, 19 Bay State road, Ward 11.
Arthur W. Cole, 291–293 Northampton street, Ward 12.
Allan W. Brown, 38 Bullard street, corner Nottingham street, Ward 20.
Henry Rockett, 50 Bowdoin street, Ward 20.
Charles C. Ryder, 111 Bowdoin street, Ward 20.
C. M. Mowatt, 48–52 Bowdoin avenue, corner Bullard street, Ward 20.
C. M. Mowatt, 45–49 Bullard street, Ward 20.
Boyd & Berry, 95–101 Draper street, Ward 20.
H. A. Brehaut, 39–41 Mt. Everett street, Ward 20.
W. H. Crosby, 45 Mt. Everett street, Ward 20.
A. R. Gilliland, 5, 7, 17, 19, 21, 27, 29, 31 Pleasant street, Ward 20.
Frederick J. Rockwell, 51 Stanley street, Ward 20.
John F. Griffin, 22 Wales street, Ward 20.
William E. Wight, 52–56 West Tremlett street, Ward 20.

William H. Crosby, 300–306 Washington street, Ward 20.
Patrick J. Lyon, 28 Edison green, Ward 16.
Mary A. Stammers, 1 Robin Hood street, Ward 16.
George V. Wattendorf, 23–25 Roseclair street, Ward 16.
Morris Weinstein, 81 Holworthy street, Ward 21.
Morris Weinstein, 282 Walnut avenue, Ward 21.
Christian Gartner, 46 Spring Park avenue, Ward 22.
R. G. Crosby, 78 Armandine street, Ward 24.
Fred J. Rockwell, 84–88 Burt street, Ward 24.
James S. McGrath, 1538 Dorchester avenue, Ward 24
William E. Douse, 111–113 Fuller street, Ward 24.
F. E. Marshall, 124–126 King street, Ward 24.
Jacob Simmons, 128 King street, Ward 24.
A. H. Rice, 116–122 King street, Ward 24.
James F. Flaherty, 312 Millet street, Ward 24.
Philip Long, 188–196 Norfolk street, and on Thetford avenue, Ward 24.
P. G. Henderson, Train street, corner Assabet street, Ward 24.
Fred J. Rockwell, 800–804 Washington street, Ward 24.
Walter Baker & Co., Ltd., 1215 Washington street, Ward 24.
Robert G. Jones, 22 Bradbury street, Ward 25.
Robert G. Jones, 86 Edson street, Ward 25.
Mildred B. Horgan, 90 Easton street, Ward 25.
Robert G. Jones, 52–58 Mansfield street, Ward 25.
Reports severally accepted; orders passed.

(6) Report on lighting of streets by Executive Committee to which was referred (April 3) the message of Mayor and communciation from Central Labor Union relative to municipal lighting plant; to which was referred (April 10) the message of Mayor and communication from American Federation of Labor relative to street lighting; to which was referred (April 10) the message of Mayor and communication from Commissioner of Public Works transmitting contract with the Rising Sun Street Lighting Company, having considered the subject, respectfully recommends that a public hearing be given on the subject on Friday, April 28, at 7.30 o'clock p. m.

Report accepted; said recommendation adopted.

(7) Report on the petition of the Old Colony Railroad Company (referred February 13) that the limits be prescribed within which land may be taken for depot and station purposes at Neponset—recommending the passage of the following preambles and order:

Whereas, The Old Colony Railroad Company, a corporation duly established under the laws of the Commonwealth, has represented to this City Council, acting as County Commissioners, that the limits be prescribed within which land may be taken for depot and station purposes at Neponset; and

Whereas, This Council, acting as County Commissioners, did, on Monday, April 3, after due notice to the owners of said land, give a hearing in accordance with section 78 of chapter 463 of the Acts of 1906: now therefore be it

Ordered, That the limits within which the Old Colony Railroad Company may take land for the purpose of making and securing its railroad, and for depot and station purposes, and for one or more new tracks adjacent to other land occupied by it by tracks already in use, beginning at a point in the easterly line of land taken by the decree of the Superior Court dated October 12, 1907, said point being distant 47 degrees 12 feet easterly, at a right angle from the base line of location of the Old Colony Railroad at Station 251—09, said point being in the easterly line of Taylor street, so called; thence north 39 degrees, 34 minutes, east eighty-eight and ninety-six one-hundredths (88.96) feet to a point distant one hundred thirty (130) feet easterly, at a right angle from said base line of location; thence south 29 degrees, 18 minutes east, parallel with and one hundred thirty (130) feet easterly at a right angle from said base line of location, two hundred ten (210) feet to an angle; thence south 60 degrees, 42 minutes west seventy-two and eighty-eight one-hundredths (72.88) feet to a point distant fifty-seven and twelve one-hundredths (57.12) feet easterly, at a right angle from said base line of location; thence south 29 degrees, 18 minutes east parallel with and fifty-seven and twelve one-hundredths (57.12) fect easterly at a right angle from said base line of location three hundred twenty-three (323) feet more or less, to the harbor line in the Neponset river, so called; thence south 58 degrees, 42 minutes west, twenty (20) feet, more or less, to a point in the easterly side line of location of said Old Colony Railroad, thirty-seven and twelve one-hundredths (37.12) feet easterly, at a right angle from said base line of location; thence north 29 degrees, 18 minutes west in said easterly side line of location, four hundred sixty-two (462) feet, more or less, to an angle; thence north 60 degrees, 42 minutes east, ten (10) feet to an angle; thence north 29 degrees, 18 minutes west, thirty-nine ninety-eight one-hundredths (39.98) feet to the point of beginning, said parcel containing about twenty-three thousand nine hundred twenty-eight (23,928) square feet, be and the same are hereby prescribed.

Report accepted; preambles and order passed.

(8) Report on message of Mayor and remonstrance of Harrison Square Improvement Association (referred to-day) against use of Freeport Street Wharf for garbage disposal purposes—that the same be placed on file.

Report accepted; papers placed on file.

(9) Report on message of Mayor and communication (referred to-day) relative to the completion of Curtis Hall—that the same be placed on file.

Report accepted; papers placed on file.

(10) Report on preambles and resolve (referred to-day) concerning the erection of schoolhouses in the Back Bay Fens—that the same ought not to pass.

Report accepted; said preambles and resolve rejected.

(11) Report on the petition of Charles H. Wentworth (referred to-day) that the city join in placing certain land under land registration act, that the petitioner have leave to withdraw without prejudice.

Accepted.

(12) Report on petition of Boston Elevated Railway Company, lessee (referred February 13), for permission to operate as a common carrier of newspapers, baggage, express matter and freight on tracks of West End and Old Colony Street railways in City of Boston—that the petitioner be given leave to withdraw.

Coun. SMITH—Mr. President, if I understand the history of this request by the Elevated Road, it was put in last year, and after consideration by this Board for two months the Board refused to take any action either to prejudice the matter or to favor it, because of lack of information. This year, after considering it two months further, they give the Elevated leave to withdraw. It seems to me that such action by this Board is subject to criticism. We have had four months in which to consider this matter. Personally, I can say that the matter has not received our consideration as far as possible restrictions are concerned. The Elevated has submitted certain restrictions upon this privilege which the Board, neither in executive session nor in open meeting, has deigned to consider. The Chamber of Commerce has acted favorably upon this matter and has suggested additional restrictions, which this Board neither in executive session nor in open session has deigned to consider.

Coun. ATTRIDGE—Mr. President, I desire to ask the gentleman through you a question.

President COLLINS—Will the gentleman yield?

Coun. SMITH—Yes.

Coun. ATTRIDGE—Didn't the Executive Committee at its session to-day listen to you when you read from the paper in regard to those restrictions, and weren't you given all the opportunity that you desired to call the restrictions to the attention of the Executive Committee?

Coun. SMITH—Mr. President, I see no reason to change my statement.

Coun. ATTRIDGE—Will the gentleman answer the question, Mr. President?

Coun. HALE—Mr. President, I would like to ask a question of the questioner, if possible, before Coun. Smith answers his question—if the councilor is willing.

President COLLINS—That would require unanimous consent.

(The question was allowed.)

Coun. HALE—Mr. President, I would like to ask a question of Coun. Attridge, if he will answer.

Coun. ATTRIDGE—Not at this time, I may later.

Coun. SMITH—Mr. President, to resume, it seems to me that we have not as a body——

Coun. ATTRIDGE—Mr. President, I desire at this time to ask if the gentleman will answer the question I asked of him?

Coun. SMITH—Certainly. This matter was

under consideration in the Executive Committee. I want to repeat my statement, made once before this year, that it is unfortunate that the Executive Committee deals with so many important matters that ought to he dealt with in open session. If they were dealt with in open session any remarks made would be taken stenographically, and there would be no doubt about whether these questions were dealt with exhaustively or not. As a matter of fact, I started reading. I did read one of the restrictions suggested by the Elevated and started reading the second. The committee showed no intention of giving them any consideration, and I did not read the third. It seemed to me better at this time to take it up in open meeting rather than to continue a futile discussion in executive meeting. Does that answer the question?

Coun. ATTRIDGE—My question was, weren't you given every opportunity before the Executive Committee to read those restrictions or regulations which you say have been suggested by the Elevated Railroad?

President COLLINS—Does the councilor understand the question?

Coun. SMITH—Certainly, Mr. President. I have tried to say just exactly what did happen in executive session. It is all a matter of personal opinion, hecause unfortunately there were no stenographic notes taken. As a matter of fact, you can start to read restrictions by the Elevated, hut you cannot make the Council consider them. While I was given the privilege of reading the restrictions, there was no attention paid to the restrictions and there was no debate on the subject. I did not read them all. Furthermore, I did not read the restrictions—and they have never heen considered—suggested by the Chamher of Commerce in regard to the franchise. I did not read restrictions that I myself, having spent considerable time and study upon this matter, through reading and otherwise, had thought might he good restrictions to suggest, ones that had occurred to me in a consideration of the subject. I don't think any other memher of the Council suggested restrictions that had either heen thought of hy himself or had been referred to the hody. Therefore, it did not seem to me that they gave the subject the consideration due it. I am not going on record as saying that I favor this, as it is unnecessary. This Council is going to take the attitude of giving the Elevated Road leave to withdraw, and is going to do it in face of the position taken by the Chamber of Commerce that the road should have the right to do this business. The body proposes to act upon the matter regardless of any restrictions that might he made, whether as to the use of certain streets, regulations as to certain hours, as to whether cars shall operate in trains or singly, and so on; and the question whether this husiness would serve the purposes of the surrounding country, whether it would advance our business relations with the rest of the state, is evidently not going to be considered. The body is proposing to act entirely regardless of such matters. There has heen no consideration of the subject on a hroad scale, such as it ought to have, and it seems to me we are passing on it very lightly. Personally I shall vote against this report, hecause I think we ought to give the matter further attention, because I think it means much to the business community. I helieve it means much to the public generally, as I helieve they could get their express and freight husiness done more cheaply. We are not in line with the rest of the country on this matter. Philadelphia, Baltimore, Detroit, Brooklyn, and nearly every city of any importance throughout the West, has granted such rights on the traction lines; and yet we are passing the matter over with scarcely any consideration at all. It is one of the biggest questions we will have before us, and it has heen before us two years running. We hear arguments on other questions and see a great deal of consideration given to them. For instance, in executive meeting, we heard the argument advanced that we ought to rush matters on the proposed addition to City Hall, because it has heen delayed for some time; and yet that proposition was not suggested until the Mayor suggested it this year in his inaugural. This matter has been considered for two years. It has been before this Council for four months and I think we are open to criticism, to severe criticism, in acting upon it in this way without any general discussion. I myself think the matter ought to he restricted very, very carefully indeed. I think the Elevated would be getting a privilege which is worth a great deal to it, and I think that the passenger service of this city should be safeguarded. We should not grant to the Elevated anything that would interfere with the rights of people traveling to and fro; neither should we grant it any privilege which would hurt the passenger service. We should not allow trains to go through the streets, or heavy single cars to go through residential districts at improper times, with the consequent noise and jar. But this hody is ahle, with the representatives of the people here, to safeguard this privilege properly. I think, without any egotism, that we as a body are ahle to safeguard this privilege better than any other puhlic hody, and for us to pass it by and allow it to go to the Railroad Commissioners is really in a sense shirking our duty. I think the people of this town may criticise us for that. I think there could he restrictions upon the privilege which would work to the actual hencfit of the passenger department of the road. I think we might restrict the earnings from this department so that anything ahove a certain percentage might he secured for the henefit of the passenger service, and in so far as we did that we would actually help the passenger service in this city. Yet we gentlemen here are passing it by without even considering that point. That point, as far as I know, has never been urged in the puhlic hearings, executive session or otherwise. We might actually make this privilege that we are considering for the Elevated work out for the henefit of the passenger department.

Coun. KENNY—Mr. President, I would like to ask the gentleman a question. I would like to know in what way, what manner, this might operate to the advantage of the puhlic in increasing the passenger service facilities?

Coun. SMITH—Mr. President, it gives me great pleasure to answer the question, although it seems to me late in the day for it to be asked. These things should be considered in executive session. I had suggestions to make which I was not——

Coun. BUCKLEY—Permitted?

Coun. SMITH—No, I will not say permitted—which I was not encouraged to offer, and I think other members of this body prohably had suggestions. My idea was that the hooks of the freight department should he kept separately. We might then limit the percentage they could earn in the freight department—allowing them, for example, to earn 6 per cent with the understanding that everything above 6 per cent should he turned over to the passenger department, to be used not in maintenance or betterments, but in extensions, such as additional cars, additional trackage, additional shops; and thus, without allowing the money ohtained in that way to he capitalized in stocks, bonds, notes or other indebtedness to be issued against it, we might actually make any earnings beyond the normal amount in the freight department accrue to the passenger department. That suggestion, coming at this hour, with the action of the Executive Committee, probably has no weight at all and probably will not receive any consideration. That suggestion, however, has heen acted upon favorahly by the Chamher of Commerce. It is not an idle creation. It is a creation of some merit and should be considered hy this body. There are also other restrictions that should be considered. I certainly very much regret the action of the Executive Committee, and I sincerely hope, for purposes of thorough consideration of the subject, that this report will not he adopted.

Coun. ATTRIDGE—Mr. President, I do not believe, as a memher of the Council, that the Council, as a body, is subject to any criticism because of its action in regard to the petition of the Boston Elevated Railway Company. The Council has given this matter consideration. Two hearings have been held hy the Executive Committee. The representatives of the Old Colony Street Railway Company, the West End Street Railway Company, the Boston Elevated Railway Company and the Boston and Northern Street Railway Company, were heard at those hearings. Representatives of the express business, doing business in Boston, were heard; men representing improvement associations were heard hy the committee of the City Council, and individual citizens were heard upon this proposition, which means much to the citizens of Boston, if granted. The Council heard everyone who had anything to say in favor of the granting of the petition, and every individual and organization that had anything to say against the granting of the petition, and I think it cannot be said that this Council did not give this matter proper consideration. It did give it proper consideration. The first

time when the petition of the Elevated Railway Company was before the Council, and surely when we held the two hearings upon the new petition, we considered the matter, and considered it properly and well, with due regard to the interests not only of the Boston Elevated, the Boston and Northern Street Railway Company and the Old Colony Street Railway Company, but with due regard to the interests of the people of Boston, whose servants we are.

Coun. HALE—Mr. President, might I ask the gentleman a question, if he will yield?

Coun. ATTRIDGE—Mr. President, I do not desire to yield at this time. The Executive Committee to-day heard the matter of this petition, and I, as chairman of the committee, recognized the gentleman and gave him all the time he desired to present before your committee the statement that he had typewritten in regard to the regulations of the Boston Elevated Railway Company, and the members of the Council, in my opinion, were willing to give him all the time he desired to present the matter before the Executive Committee. I don't believe there has been any shirking on the part of the members of the Council. We all agree that it is an important matter. We are doing our duty as citizens, we are doing our duty as servants of the people—not as servants of any particular corporation or body of men, but of the people as a whole. The Executive Committee of last year, of which Matthew Hale was chairman, considered the matter and made a report. I am going to quote from that report, beginning on page 2 of Document 137 of last year, which was the report of the Executive Committee on petition of the Boston Elevated Railway Company, lessee, for permission to operate as a common carrier of express matter, freight, and so forth. That committee stated:

"The improvement of passenger service is a problem of exceeding difficulty for any city; the difficulty is an extraordinary one in the case of Boston because of the physical conditions existing. Most of the travel between Boston's outlying cities and towns runs north and south, and much of it must pass under, over or on the streets running north and south lying between the water front and the Charles River Basin. These streets are already taxed almost to the limit of their surface capacity, and it would seem that the improvement of the passenger service can be brought about not by the addition of more trolley cars on the surface but by the construction of additional subways and tunnels beneath the surface.

"This reasoning is made clearer when the relation of the steam railroads to the metropolitan district passenger traffic is taken into consideration. It is well known that the steam railroads cannot successfully compete with the trolley lines for the passenger traffic of the metropolitan district. The principal reasons are relatively low cost of operation by trolley in short distance passenger service as compared with the steam railroad cost, and the large terminal charges which the steam railroads have to pay but which the trolley lines are not required to meet. It is sufficient to point out the fact that the proportion of the entire number of passengers carried in the metropolitan district has been increasing in the case of trolley lines far more than in the case of steam railroads. In the last ten years the increase in the number of passengers carried by trolley lines in the state is at least double the increase in the number of passengers carried by the steam railroads in the state; and the increase in the metropolitan district must have been considerably more than twice as great in the case of trolley lines as in the case of steam railroads. It is apparent, therefore, that this community must depend largely upon the street railways for improvements in the passenger service.

"The difficulties which the street railways will have to meet in the near future in providing for the increased passenger traffic are enormous. The difficulty which exists on account of the physical limitations in the City of Boston will be multiplied as the population increases. The population in the metropolitan district increased in the fifteen years from 1890 to 1905 over 40 per cent, and there is no doubt that in the fifteen-year period ending in 1920 the increase will have been more than 40 per cent. It is fair to assume that the population of the metropolitan district by 1935, twenty-five years from the present time, will be at least three millions. In other words, in twenty-five years the difficulties in passenger service in this district will be twice as great as they are now, unless improvements are made on a scale of great magnitude, including the construction of additional tunnels and subways. In the execution of these improvements the surface capacity of the streets running north and south between the water front and the Charles River Basin will be taxed to their extreme limit in order to meet the needs of passenger service. It is difficult, therefore, to conceive that the city as a whole would receive benefits resulting from the granting of trolley freight privileges on such streets that would be commensurate with the loss caused by the disturbance to passenger traffic."

That is under date of October 21, 1910, and is signed for the committee by Matthew Hale, chairman. Mr. President, the streets of the City of Boston which lie between the water front and the Charles River Basin should not, in my opinion, be subjected to the additional burden of freight carrying cars. In my opinion it would at best be a dangerous experiment.

Coun. SMITH—Mr. Chairman, may I ask the gentleman a question?

Coun. ATTRIDGE—I refuse to yield, Mr. President. It would at best be a dangerous experiment, and once given a foothold it would be necessary to look to the Board of Railroad Commissioners for concurrence before the City Council could by its orders enforce or compel a discontinuance of such use of the streets. Under all the circumstances, it has seemed to me the duty of the City Council, safeguarding the interests of the people and the city, to refuse to grant the privileges sought by the Boston Elevated Railway Company.

Coun. HALE—Mr. President, I would like in the first place to ask two or three questions of the gentleman who has just spoken, if he is now willing to answer them. Are you?

Coun. ATTRIDGE—If I can.

Coun. HALE—Would you mind stating to me briefly the restrictions proposed by the Elevated, the restrictions proposed by the Chamber of Commerce and the restrictions proposed by Mr. Smith, in this matter?

Coun. ATTRIDGE—I cannot at this time.

Coun. HALE—You cannot?

Coun. ATTRIDGE—No.

Coun. HALE—Mr. President, I would like to say in this matter that I wish to protest very strongly against the action, or rather the attitude, of the Executive Committee. I, like Coun. Smith, have not definitely made up my mind what restrictions ought to have been imposed on this, or whether the thing should have been granted with any restrictions. I think probably with proper restrictions it should be granted; but I do protest very strongly against the way we have gone at this whole question. We have heard a great deal about graft and reform, and all that sort of thing, and this Board is supposed to be a reform Board. Everybody knows that the most important political question in the United States to-day is the relation of public service corporations with public bodies, and we cannot expect fair dealing from public service corporations, where most of the corruption in politics has come from, unless public bodies give them a square deal. I don't think our attitude on this question has been a square deal. I am not advocating now the passage of this particular thing or the refusal of this particular thing. I am advocating and looking into this question on its merits, studying the way the problem has worked out in other cities, and trying to make an investigation of possible restrictions. The chairman of the Executive Committee, which committee has had special charge of this matter, cannot now give even the substance of the restrictions proposed by the Boston Elevated in connection with this question, which is one of the most important that has ever come before the Council. I think that illustrates perfectly clearly the fact that we have not considered this matter. Public hearings are not consideration of a matter. No Board of Directors would ever think of taking action simply on a public hearing. They always go into executive session and discuss a matter pro and con, hearing arguments and getting statistics from both sides. I don't think we have dealt with this problem at all in a businesslike or broad manner. I think also we have been very unfair to the corporation, and I think no greater mistake can be made by public bodies, and especially reform public bodies, than refusing to give public service corporations a square deal. We ask them not to be corrupt, we ask them to give the public a square deal, and yet we do not give them a square deal. I, for one, wish to protest against the action of the City Council of Boston in turning down this petition without careful consideration.

Coun. SMITH—Mr. President, I have listened

to the remarks of Coun. Attridge and, although I have read the report, as he re-read it it did sound more impressive. I think that is all beside the point. He did not offer a single argument against the granting of the privilege with proper restrictions as to streets and times of day. If the rest of the Council have arguments on this subject, as to restrictions, it seems to me now is the time to bring them forward. We have not developed any thought on this subject in executive session. The only criticism I have heard from the members, either separately or collectively, is the one that the Elevated could not take care of the passenger service to-day, and therefore we would not give them any more rights—which is certainly a narrow view to take of the subject. It seems to me that the Council in fairness, as Coun. Hale has said, to the corporation ought to state why it gives the corporation leave to withdraw. There is one other reason that they state for not passing favorably upon this or giving it due consideration, and that is because the Boston Elevated has not matured its plans and presented them to us in a mature form. And yet that is no argument against it, because if we are convinced that this is for the public good—not only for the good of the business interests in this city but for the good of the traveling public—we as a body working for the people of Boston should take it up and push it, and see to it that it is inaugurated with proper restrictions. Therefore, the laxness—if it is laxness—of the Elevated in not presenting a well rounded, matured plan is no argument for our shirking our duty in bringing about what would be a public good; and if there are arguments against this, it seems to me now is the time to present them to the public. If any member of the Council has arguments against this other than those brought out in last year's report, it seems to me he is shirking his duty if he does not, in fairness, get up and state them now.

Coun. KENNY—Mr. President, the position of the advocates of giving the railway company the right to have this privilege is rather a peculiar one, to say the least. The Elevated Railway Company has filed a petition here. So far as I am informed it has not filed any supplemental petition. It has filed a petition asking for certain rights in the City of Boston, and on that petition two public hearings have been held. They were present with their counsel, their other officers, and advocated before our committee that which they are seeking for in their petition. So far as I am informed there has been no supplemental petition. Their counsel has passed to me, and he may have passed to other members of the Board, a draft of an ordinance such as he says they would be willing to make, which would give to the Elevated Railroad the rights which they are seeking in the first original petition, subject to certain qualifications. But I want to say to the advocates who have appeared here this afternoon in favor of this petition that I am against giving them those rights, against granting that petition even with restrictions. That is my attitude. I don't see why that requires any further statement. I don't see why I should be required to get up and offer anything more than my vote on the question. We have a report that has been before the Council several months, a printed document, and I must especially urge and commend that report to my friend on the left (Coun. Smith). If he had studied that report carefully, I think he would see why we are turning down this petition.

Coun. HALE—Mr. President, will the gentleman yield for a question?

Coun. KENNY—Mr. President, I don't think I shall yield at this time. I think he had better make a minute of what he wishes to ask, and I will try to answer when I get through. It seems to me that this report—and I am not claiming any particular excellence for the report—very fully covers the situation. It states reasons why we cannot grant the petition. There is no reason why, because the Elevated Railway has asked for something we cannot give, we should grant them anything in the way of additional privileges, simply because in connection with their original petition certain restrictions have been suggested. That is not the question. We have turned down, as I understand it, their petition. My friend on the left now says that there are restrictions that they want imposed on the original petition. I have considered those restrictions, and I am not in favor of granting this petition. The reasons why I am not in favor of it are set forth in the report which has been read already by the chairman of the committee.

Coun. HALE—If the gentleman will now answer a question, I would like to ask one.

Coun. KENNY—Mr. President, I am ordinarily willing to answer questions, but it seems to me that my friend from Ward 11 is rather prone to asking questions that are not altogether germane to the subject under discussion. I think it would be better if he would make his argument, entering into the discussion in such way as he sees fit. Of course, as far as I can assist in the discussion by answering a question, I am glad to do it.

Coun. HALE—Mr. President, I would ask whether Coun. Kenny did not just say he was against granting this privilege even with restrictions? That is the first question.

Coun. KENNY—Mr. President, is there any doubt about what I said a few moments ago? If there is, I will endeavor to clear up the doubt.

(At request of President COLLINS, the stenographer read from Coun. Kenny's remarks: "But I want to say to the advocates who have appeared here this afternoon in favor of this petition that I am against giving them those rights, against granting that petition, even with restrictions.")

Coun. HALE—Mr. President, I would like to ask another question—whether he was in favor of this report of the Executive Committee dated October 21, 1910; whether he voted in favor of it?

Coun. KENNY—Mr. President, I submitted that report to the committee and we adopted it. Now, Mr. President, while I have the floor, if I may do so, I want to object to this style of conducting debate or discussion here.

President COLLINS—The Chair realizes that Coun. Hale has the floor, and that any member is obliged to get up and address the Chair, in answer to a question. A member can simply keep his seat and the debate ends there. Coun. Hale has the floor.

Coun. HALE—Mr. President, I would like to read from the last paragraph of this report which Coun. Kenny submitted to the Executive Committee, and which appeared as the report of the Executive Committee and was passed by the City Council.

"The City Council does not take this position because of any antagonism to the petitioners, or because they do not realize that under proper conditions and restrictions the granting of the privilege of carrying freight may not be of great value to the community."

In other words, Mr. President, on October 21, 1910, Mr. Kenny says that he realizes that under proper conditions and restrictions the granting of the privilege of carrying freight may be of great value to the community. Now Mr. Kenny says he is against granting this privilege even with restrictions, and I would like to ask the reason for Mr. Kenny's change of mind. He must have given careful consideration to this subject in between, because the attitudes are not consistent. He must have decided that this privilege, which he says may be of great value to the community, is not of great value. I have not heard those reasons. Mr. Kenny says he does not see why he is under any duty other than to come in and vote. I think it is the duty of every councilor on every proposition affecting the interests of the city to not only vote, but to state his reasons for his position, for or against. He not only owes that duty to the public, but to his fellow members of the City Council, so that others of us not fortunate enough to have that knowledge can share it with him. I would like to ask Coun. Kenny why he has decided that he is not in favor of this proposition, even with restrictions, what has made him modify the opinion that he held on October 31, 1910.

Coun. KENNY—Mr. President, I would like to say at the outset that the gentleman has not quoted me properly.

Coun. HALE—Mr. President, I have not quoted the councilor at all.

Coun. KENNY—At that time I had in mind that the presentation of the matter having already been made by the chairman of the committee, he had covered the case very fully, elaborately, and with much ability. Under those circumstances I did not feel that I was called upon to offer anything further here. I am always quite ready as a member of this Council to give my reasons for my vote. I think I always have done so. I don't think I have been at all slow or loath to refrain or fail in expressing my opinion or giving my reason for my position upon any matter that is now pending, or that has been pending, before this Council during the past year. I was referring to the restrictions that were cited in this amended ordinance. I was not referring to the general proposition. That was last October. I have given the matter

some considerable thougbt since tben. Possibly my friend has not done so, hut I have, and it is my best judgment to-day that it would be a great mistake, a great error, to comply with the petition of the Elevated Company, to comply with this amended ordinance, whicb is the petition itself with modifications—namely, that it would bave the right to use certain streets at certain hours. I think, taking tbe entire matter as a whole into consideration, it would be a very dangerous thing for the City Council to grant this petition. That is why I stated my reasons as I did. What I said in that report, on general principles, last October is one thing. I meant it then, and I mean it now. There is nothing in this ordinance that cbanges my opinion, so far as it was expressed, or tbat is inconsistent with that report of last October.

Coun. ATTRIDGE—Mr. President, I am not going to take up very mucb more of the time of the Council, but I desire to say that one of tbe real reasons why I will vote against granting the petition of the Boston Elevated Railway Company to carry freight, to carry dead freight, is because of the fact that, in my opinion, they do not at the present time properly carry the live freight, do not properly carry the passengers who are demanding rights from the road every day. We heard the complaints in regard to the road when we went around last year, heard the objections from various people, from the improvement societies, that tbey were not getting proper service from the Boston Elevated Railway Company. In my own opinion, from what I have seen in Washington street in our city, the Boston Elevated Railway Company has not given the people of Boston a square deal in the carrying of passengers.

Coun. CURLEY—Mr. President, I regret as much as any member of this Board can the personal trend of debate here among the reform members. (Laughter.) I do not think it is at all in keeping with the dignity of this body, and I therefore move the previous question.

The main question was ordered.

The report of the committee, giving leave to withdraw to tbe petitioners, was declared accepted. Coun. Hale doubted the vote and asked for the yeas and nays.

The report was accepted, and the petitioners were given leave to withdraw, yeas 7, nays 2, Coun. Hale and Smith voting nay.

(13) Report on message of Mayor, communications and order (referred April 3) recommending that the sum of $20,000 be transferred from the appropriation for Bathing Establishment, Ward 15, to an appropriation for Locker and Sanitary Building, Strandway Playground—that the order ought to pass.

The report was accepted.

Coun. HALE—Mr. President, I move reference of the matter to the Committee on Finance, to be considered with the various other matters of permanent improvement. I regret extremely to be obliged to take up any further time of the Council, but I consider that this matter now before us is as important a matter as has come or will come before the Council. It is not a question of the particular item; it is the question of what the attitude of this city government is going to be in regard to borrowing money belonging to the city and expending it for the city. Two questions bave been brought into the discussions on this point which it seems to me are entirely irrelevant. I hope very much tbat each one of you will not simply say that because you voted so and so in Executive Committee you have thereby decided your position, because I really do feel that this is the most important question that we can have before us, and I would like to have each one of you consider the question on its merits now. Tbe first point—that is often confused with the real issue here—is the question whether or not we are in favor of this particular item. As far as being in favor of sanitaries is concerned, I am very strongly in favor of them. If the members of the Council will look at the proceedings of the Board of Aldermen of 1909 tbey will find that in March of that year I introduced an order calling on the Board of Health to investigate the condition of all the city playgrounds and report to us what ones needed sanitaries; and that, I think, was tbe first time that tbe city government took action on this question of seeing that the playgrounds were made decent. My attitude is, and always has been, in favor of these sanitaries on playgrounds; but I say that the question is not whether this particular item is a good one. I say that the question is to be considered on its relative merits, bearing in mind the various improvements needed in the city. My attitude is that no loan should be made by this City Council for one particular improvement, on its own merits, without regard to other public improvements. That is my position, and I want to make it perfectly clear to the Council that no individual loan item should be passed simply on its own merits, but should be passed on its relative merits. I will illustrate that. Suppose we deemed it wise to borrow enough money for nine permanent improvements, all of them good, and suppose we had before the committee on finance ten proposed permanent improvements, all of them good. In other words, we have ten things that are very mucb needed, each one of which, if we were going to decide upon it on its own absolute merits, would be passed. But we have to act upon only nine out of those ten. In that case I think it becomes clearly the duty of every member of this Council to vote against the least important of those ten improvements, even though on its own merits, without regard to other matters, the order should pass. That seems to me a pretty elementary proposition of business. Applied to a man's income, it is certainly elementary. We would not go ahead and spend our own income without regard to the different things we might need. We would not, for instance, in walking by a clothing store, look in the window and say, "I will buy that overcoat," without regard to the other things that we needed. Take a man in business. Suppose you had $100,000 to start a shoe business, you would not spend three quarters of it on fixtures without finding out how mucb you actually needed for your stock. I think we, as directors of this big corporation, ought to take tbe same attitude. Another question that is wrongly confused with the question now before us is the question whether we believe in a general loan bill, or wbether we believe in considering each item separately. I cannot emphasize too strongly the fact that that is not now the question before us in any way, shape or manner. The question is, shall we borrow $20,000 of the city's money for an improvement without knowing whether that is the most important of the necessary public improvements? It is not a question whether, after we have considered all these various items, of which there are probably $10,000,000 worth now before us—we will vote for all of them at the same meeting, or one at one meeting and one at the next meeting, whether we will cover them all in a general loan bill or have each item separate. The important point is tbat we should have a cbance to consider all tbe items on their relative merits, and I do not believe any member of the Council can conscientiously say he does not believe in that elementary business proposition. I know perfectly well that all the members would apply that principle to their own business, rather than pursue the policy of simply spending money on a good thing, even if it is not tbe most important thing. There was one thing brought up in the discussion of the matter before the Executive Committee a week ago whicb requires special consideration by every man here. The argument is advanced that this matter of transferring $20,000 from a loan already existing of $50,000 is not the same thing as borrowing the $20,000 anew. I want each of you to carefully analyze tbat question and see really wbether there is any difference. Of course, on the legal side it is perfectly clear that there is no difference; I think that can be taken for granted. We cannot borrow money and we cannot transfer it without the consent of the Mayor. We cannot change any part of this item of $50,000 to any permanent improvement in the City of Boston without the consent of tbe Mayor. In otber words, a new loan and this transfer both require the consent of the City Council and of the Mayor. That is, it seems elementary tbat tbere is no legal difference between this transfer of $20,000 from an existing $50,000 loan appropriation and tbe making of a new loan of $20,000. Now comes the question whether there is any moral obligation involved. The point is this: It is said that the Councils of past years have appropriated $50,000 to be used in Ward 15 for a bathing establisbment, and the argument is used that because previous city governments saw fit to pass this $50,000 loan, thereby there arises some kind of a moral obligation on tbe part of this city government to spend that $50,000 in Ward 15. To my mind that is simply a relic of the old system of loans. In the old days, as probably you all know, tbe amount of money to be borrowed was divided among the different wards equally, as a rule, I believe, and the money was then spent in each ward. I tbink—in fact I know—that that is not the attitude of this City Council. I know that no

member of this City Council, considering this question fairly and squarely, would take that attitude. I would like, for the interest of the City Council, to trace the history of this particular $50,000, of which it is now said to us that we are under a moral obligation to spend this $20,000 in Ward 15. The origin of it was in 1897. One of the members of the City Council put in an order for $10,000 for the extension of Leeds street. Leeds street was the street in which a certain member of the Council lived. That order was passed in 1897, included in one of the old time notorious grab loan bills. In 1898 another councilman introduced an order for a loan of $2,500 for the building of an all-the-year-around bath in Ward 15. That was passed without debate, both by the Board of Aldermen and by the Common Council. Later that year it was found that $2,500 really would not build a satisfactory all-the-year-around bath in South Boston, and a message of the Mayor came in recommending the transfer of the $10,000 which had been appropriated for Leeds street extension to the purpose of making an all-the-year-around bath. This was carried, and that made a total of $12,500. This was spent in buying the land and putting in a foundation. The foundation is now a complete waste. In other words, about $7,000 has gone, according to the report of the Finance Commission, the first volume. In 1902 an item was put in for increasing, adding to the appropriation of $12,500, $50,000. This item was referred to the Committee on Finance and a request was sent to the Bath Department to determine the probable cost of the completion of this building. The Bath Department returned a report saying that it would cost $45,000. That report was placed on file in the city government. Three or four months later one of the first loan bills ever passed by the city government was formed, for two and one-half million dollars. Included in that loan bill was an item of $20,000 for the completion of this bath house. In other words, that government, knowing that the bath house would cost $45,000, put in an item in a big grab loan bill for $20,000. That was the first of the $50,000 that is now outstanding, because the $12,500 was practically all used up. There was only $800 left. The first large element in this $50,000 loan which is supposed to put us under a moral obligation was passed in one of the worst loan bills ever passed by the city government, in 1902, in the face of reports from the Bath Department that the building would cost $45,000. Does that, in the opinion of any member of this Council, put us under a moral obligation to spend the money in any particular place? That means, in plain English, that we have got to ratify the acts of a city government which passed one of the worst grab loan bills ever passed; and to my mind I can see no distinction between ratifying the bad act of a past government and doing the bad act ourselves. Certainly as far as the law is concerned there is no distinction. That was $20,000. I should like to read, in connection with this 1902 loan bill, a criticism made at that time by Alderman Tinkham, at the time when this loan bill came up. He protested against the loan bill for five reasons, and when the items came up in detail he voted against this $20,000:

"First, because large and necessary permanent improvements such as would bring benefit to the greatest number of citizens and demanded by the business interests of Boston have been entirely omitted.

"Second, because the money has been divided into such small amounts and so scattered that the public benefit has been minimized.

"Third, because it exhausts the borrowing capacity of the city, which should not be done unless upon urgent necessity, which is not the case at this time.

"Fourth, because at least one-fourth of the items have not the approval of the heads of departments or others in charge of the different commissions for which loans are made.

"Fifth, because Lawrence Farm, alias E. W. Holbrook estate, is included at an exorbitant amount and provides for an increase to Mount Hope Cemetery of half its size, which is needless, asked for by no one, and is a scandalous piece of jobbery."

That is the loan bill which is said to put us under a moral obligation. I say, gentlemen, that that loan bill, or anything done by that city government in connection with that loan bill, puts us under no moral obligation of any kind. In 1905 there was a loan bill of half a million dollars in which an item of $5,000 was added to this $20,000. That made $25,000. In 1907 there was an order passed for $25,000 more for the completion of this bath house. This item was included in the loan bill of 1907. I read before the Executive Committee last time the report of the Finance Commission on that loan bill and the specific recommendation by the Finance Commission that that particular item of $25,000 be repealed, be rescinded. I would like to read what some of the gentlemen who were in the Common Council at the time of this 1907 loan bill said about the loan bill. Mr. Pierce of Ward 11 said:

"Mr. President, through all this debate I have waited for one word of reason in favor of this order. Not one reason has been advanced for the passage of this order. As a matter of fact, Mr. President, it is the most irrational and the most dishonest order that has been passed by this Council during my four years of service. It is an insult to the people of the city; it is a monstrous outrage. Mr. President, it is worse than the so-called grab loan order that created so much criticism a few years ago. It is irrational, because it is not passed with a view to the actual needs of the city. It is dishonest for the same reason, and also for the fact that it spends the taxpayers' money for purposes which are entirely unnecessary."

And there are other speeches.

Coun. CURLEY—Go on.

Coun. HALE—Coun. Curley would like to have me reminisce a little bit, by reading a speech of Mr. Noyes of Ward 11, which I was not going to read:

"Mr. President, for some reason or other I was named as a member of that committee on finance. More out of curiosity than for any other reason I attended some of those meetings. I know that as far as my vote was concerned it was not worth that (snapping his fingers). And, Mr. President, I want to say now, as I said to the gentlemen in the lobby, all honor and credit to Mr. Curley. It is not the Mayor's appropriation bill; it is Mr. Curley's appropriation bill; and I know no more charming or attractive member of the City Council than he."

I don't wonder that Mr. Curley asked me to read this.

"When Mr. Curley smiled, a bath house had its being; when Mr. Curley frowned, pleading posterity failed to get a playground; and if Mr. Curley smiled, it was like the touch of Midas—and I must say to the credit of Mr. Curley that he smiled often. Now, you say there are very good items in that bill. To be sure we all want playgrounds. We all want bath houses, and I notice that you have added $287,000 to the Park Department. What about maintaining those portions of the Park Department? When the members of the Park Department come next year before some committee of this body and ask for some appropriation for maintenance, will you give it to them? We are tottering, so the experts say, on the verge of financial ruin, and we rush in and pass a loan order of nearly $1,600,000. It is wrong, all wrong."

There is a whole lot more, but nothing more about Coun. Curley, so I shall not read any more. But that is the substance of this $50,000 loan which it has been argued here seriously creates a moral obligation on the part of this city. Twenty thousand dollars was passed in this loan bill of 1902; $5,000 in the loan bill of 1905; and $25,000 in the loan bill of 1907—all, and especially the 1902 and 1907 loan bills, notoriously corrupt grab loan bills. I want to make every man here realize that if we vote in favor of this measure on the principle that there is any moral obligation attached to this, it means that we are ratifying the act of those city governments in passing those grab loan bills. There are only two alternatives under which we can vote in favor of this proposition. The first is that we are not going to consider things on their relative merits. In other words, we are going to pass a loan item without any regard to its relative importance—which, as I have explained before, and which I think every man here must see, is unsound business and is not going to promote the welfare of the city; or we are going to vote for it because there is some moral obligation put on us as a result of past loans—which, as I say, is simply a ratification of notorious grab loan orders. I hope every man here will consider this matter seriously and will put the consideration of this loan item over until we get a chance to see what the whole city needs, finding out how we can best promote the interests of the entire City of Boston, and not of any particular section.

Coun. BALLANTYNE—Mr. President, after listening to the long and elaborate address by Coun. Hale I have not the slightest doubt that he has waked some of the other members up and that we will hear from them at some length also. As the

hour is approaching when we will have to hold another meeting of the Executive Committee, in order to allow these gentlemen an opportunity to deliver their addresses, I move you, sir, that we postpone further consideration of this subject until eight o'clock.

Coun. CURLEY—Mr. President, I have no desire to discuss the subject at length, and I don't feel that Mr. Kenny or the other members of the Council have—because, after all, we have in mind the words of the great statesman of the Republican party, that votes count. I want to say that I am inclined to agree with a great deal that Mr. Hale has said, but I recognize the force of the scriptural saying that "out of evil cometh good." It may be admitted that this appropriation was conceived in an evil moment and that the location where the money was to be spent was an evil location; but if the transfer of the money is for a good purpose we can still carry out the intent of the Scripture and serve the good purposes of the city. There is no section of the city that is visited more largely at the present time than the Strandway section. Visitors come there from all over the state, in fact, from all over the country, and I believe it is the duty of the city to provide adequate facilities for those persons who have occasion to visit there. It is certainly a good purpose to which to apply this money, and if we can have good come from evil I believe it is our duty to do it.

Coun. KENNY—Mr. President.

President COLLINS—The question is on Coun. Ballantyne's motion.

Coun. KENNY—Mr. President, I am quite aware that my friend made that motion, but I think I can get through in a few minutes and have this over with. I have here a history of the Ward 15 gymnasium.

Coun. BALLANTYNE—Mr. President, I withdraw the motion if Coun. Kenny is going to take only a few moments.

Coun. KENNY—I have here a history of these various transactions which culminated in the appropriations or loans amounting to $62,500. They started away back in 1898, and they proceeded down to 1907. Of course, I have been serving here in this government but little over a year, and I am not perhaps as familiar with the past doings in connection with grab loan bills as some other members are; but I find here, reading from Volume 1, page 118, of the Finance Commission's report, that they say this about this Ward 15 appropriation:

"After the immediate necessities of the Bath Department as above stated are provided for, and as soon as the financial condition of the city warrants the appropriation of sufficient money to complete the bathing establishments in Charlestown and Ward 15, these works should be undertaken,"

I think that disposes of the Ward 15 bath house. We are not asking for the construction of a bath house in Ward 15. That has already been asked. There has been an agitation along that line for some years, resulting in action by the government from time to time in voting this money. If that was an improper thing to have done, we are going to correct it, or going to cure it. If the creation of those loans for the Ward 15 bathing establishment was wrong, we are not going to perpetuate it; we are going to cure it so far as we can. I am not going to read what I have here in the shape of this long history to the Council, but I would like to read from a letter written by the chairman of the Park Commissioners, addressed to the Mayor, under date of March 18, referring to this matter under discussion—which is not the building of a bathing establishment in Ward 15, but the transfer of a sum of money, $20,000, part of the money already available for the purpose of doing something, which I think will meet the commendation or approval of my friend from Ward 11 if he looks into it:

"Hon. John F. Fitzgerald, Mayor,
"City Hall, Boston:

"Dear Sir,—Your message making inquiries regarding a locker building at the Strandway Playground, made through Mr. Clarke, our secretary, has been received.

"In reply I would say that our letter in the summer of 1909 to Mayor Hibbard and the Board of Aldermen discussed the subject of a locker building for that playground, and it was then proposed to include in it a gymnasium and bath and apply to it a fund of $50,000, which had been appropriated by the city for a municipal gymnasium and bath in Ward 15, but which sum was inadequate to build such a building and buy a lot. By placing it on the Strandway Playground the latter expense was to be avoided.

"In the spring of 1910 the matter was again brought up in the City Council, and the Park Commission urged very strongly that a sanitary and locker building on the Strandway Playground was very much needed, and it was then thought that a portion of such a building as would be ultimately needed might be then built for perhaps $14,000, and we again suggested that the money already appropriated for the bath house in Ward 15 might be used here and all these utilities thus be housed on the Strandway Playground, and we had some correspondence with you on this general subject in April, 1910."

Then, Mr. President, he goes on and says:

"There can be no question but that there is need of a locker and sanitary building on the Strandway Playground, which is already large and much used and which eventually is to be a very important playground. It would be possible to build a part of a future building, as has been heretofore suggested, but it doubtless would be better, if the money can be had, to build a reasonably large building which would serve the increasing needs for some time to come. We should suggest that the most appropriate thing to do would be to build a building somewhere in cost between that just completing on the William Eustis Playground and the larger building that is at Franklin Field. The sum of $25,000 would do this satisfactorily, and if you find it possible to transfer also the Ward 15 appropriation for bath house, so that it could be built at the same time and in the same character of design, so as to form one group of buildings, we think the whole would form a very useful structure."

Just one more word. This playground, the Strandway Playground, consists at the present time of about fifteen acres. Eventually there will be sixty-seven acres there when it is all filled in. It will be the largest playground in Boston probably, and it is not an unusual sight to go there Saturdays in the summer and see 10,000 to 15,000 boys using it. There is not a single solitary convenience there for the children and adults who go there to use it. I am not going to argue on the necessity of the transfer. I know it must be evident to everybody here that we all believe it should be done, with the possible exception of one member. Therefore, I am going to bring my remarks to a close and allow the gentlemen to go out and have their supper.

Coun. HALE—Mr. President, I am sorry about this supper question. Coun. Kenny has given a good argument in favor of this proposition. He has said absolutely nothing about the relative merits as compared with other propositions. I have written out two short questions—not for Coun. Kenny, but for any member of the Council—and I fail to see, and I think anybody else will fail to see, how any member of the City Council can vote in favor of this project without answering either one or the other of these two questions in the affirmative. The first question is this: Do you believe in borrowing money for a particular project, good in itself, without a preliminary study by the committee on finance of the resources of the city and the other improvements needed throughout the whole city? That is the first question. The second question is this: Do you believe that this City Council is under a moral obligation to pass a loan for an improvement in a particular ward because the City Councils of 1898, of 1902, of 1905 and 1907, have passed loans for a somewhat similar purpose in that ward, the money appropriated under these previous loans being still available and transferable to any public improvement in any part of the city upon the vote of the Mayor and this City Council?

Coun. SMITH—Mr. President, this is not intended as a categorical answer to the questions just asked, but, as most of Coun. Hale's remarks have been directed to the moral question whether there was a moral necessity for passing this, and as I brought that question up at the last meeting of the Executive Committee a week ago Monday, I would like to state my reason for voting in favor of this measure. It is not because of any moral obligation ou the part of the City Council to carry out the purpose of this loan. It is possible to conceive of a case in which there would be a moral obligation on the City Council to do so; but I have not felt that that was so in this particular loan. I vote as I do in this case because I believe that, while all loans should be considered together in order to pick out the best, in this special loan there is a great necessity for haste in order to serve the

Strandway during the coming summer. For that reason I make an exception to what I believe is a good principle and vote in favor of this measure. It seems to me that the principle that Mr. Hale is working for can be carried out, that we can consider loans together and find out which is the most important, and at the same time we can pass those loans separately—that we are not hung up on the horns of the dilemma as Mr. Hale and Mr. Kenny seem to imply; that we have not got to pass a grab loan bill, and that we have not got to consider things separately. We can do both of those things. We can consider the things together and then pass them separately. I do not care to go into this question further; but I simply want to explain my attitude on this one measure.

Coun. HALE—I would like to ask the gentleman a question. Would he mind giving me the reasons why the people who frequent the Strandway Playground are in any more need of sanitary arrangements than the people who frequent other playgrounds in other parts of the city?

Coun. CURLEY—If I may be permitted to say a word at this time in answer to the question, I would say that about 70 per cent of those who visit the Strandway are visitors to the City of Boston, that we have a great many who come from the vicinity of the particular university that the gentleman on my right attended, and that they need those conveniences more than any other class of people in the entire community. I would say, further, Mr. President, that when visitors come to Boston from inland cities or towns their first desire is to see the ocean, and I deem it probable that a person coming from Chicago would immediately feel the need of a structure of this character when arriving in the immediate vicinity of Marine Park. Aside from that, it is not a question that should be considered by the committee on finance, because it is a loan that has been lying dormant for a number of years and appropriated for the improvement of the South Boston section. I think it should go through, and I sincerely trust that it will.

Coun. Hale's motion to refer to the Committee on Finance was declared lost. Coun. HALE doubted the vote and asked for the yeas and nays. The motion to refer to the committee on finance was lost, yea 1, nays 8, Coun. HALE voting yea.

The report was accepted and the order was passed, yeas 8, nay 1, Coun. HALE voting nay.

Assigned for fourteen days for final action.

LAYING OUT OF HIGHLAND AVENUE.

Coun. CURLEY offered the following:

Resolved, That in the opinion of this City Council public convenience and necessity require that Highland avenue be laid out as a public street;

Be it further resolved, That the Street Commissioners be requested to act at once in this matter;

And be it further resolved, That copies of this resolution be sent the Mayor and the Street Commissioners.

Coun. CURLEY—Mr. President, I don't feel that it is necessary to say much on this subject beyond what has been said at previous sessions of this Council. The fact remains that this concern is really desirous of assisting the City of Boston. They have already expended in the vicinity of a quarter of a million dollars for one wing of a piano making establishment. They propose, if the city will lay out the street, to build three additional wings, having in the Neponset section the largest piano manufacturing building in the world, employing in the neighborhood of 1,500 hands. The chairman of the Street Commission, when the Street Commission had no funds, expressed himself before the committee as favoring this proposition. Now that they have funds, I believe that he should be kept up to his word. The City Council to-day voted $300,000 for the Street Commission. The money is available and if the Street Commission is in the same mood when they have the funds that they were when they had no funds, in all probability this improvement will be put in operation and the city will benefit financially, the people benefiting as well.

The resolution was adopted.

ADVERTISING OF HEARING.

Coun. ATTRIDGE offered an order—That the City Clerk be directed to advertise in the daily newspapers a public hearing to be held on Friday evening, April 28, at 7.30 o'clock p. m., at City Hall, on the subject of contract for street lighting, the expense attending the same to be charged to City Council, Incidental Expenses.

Passed.

BLOSSOM STREET BATHS—PLUMBING.

Coun. SMITH offered an order—That the Finance Commission be requested to investigate and report concerning the bids submitted for the reconstruction of the wardroom on Blossom street, Ward 8, into public baths, with special reference to the bids for plumbing.

Coun. CURLEY—Mr. President, I move reference of the resolution to the Executive Committee. I do this in view of the fact that we have already submitted to the Corporation Counsel an order asking an opinion as to our rights, and until such time as we have received that opinion I don't feel that we should pass any further order.

Coun. SMITH—Mr. President, there is no objection to this order legally, as we have already learned from the Law Department. My action in the Executive Committee, referring my original order to the Law Department, was based on the fact that I intended to offer this present order. There can be no possible objection to having the Finance Commission look into this. As I said originally on this order, my intention is not to slander anybody, not to bring trouble to any department, but simply to give certain individuals and certain departments a chance to free themselves from any implication of wrong, and that implication of wrong exists in the community to-day. If this is not taken up their names will be sullied. I ask that this order be passed, as it is perfectly legal, and it seems to me it embodies only a just request.

Coun. CURLEY—Mr. President, with reference to the sullying of anybody's character I believe that has already been done. The Boston *American*, a copy of which was on my desk a short while ago, went on to say that the order was directed against a certain individual because of the position he occupied. With relation to that particular individual and his associations and connections, there is no question in the mind of any member of this body—not even of Mr. Smith himself—but what the Finance Commission would be very eager to investigate, if there were a possibility of anything wrong in connection with this particular matter. In view of that fact, and in view of the fact that the Finance Commission are exceedingly active and perhaps a little bit prejudiced in matters of this character, I see no great harm in waiting until such time as an opinion is rendered by the Corporation Counsel. It will then be sufficient time to make a mountain out of this mole hill if you see fit to do; but until such time I don't feel that we are justified in doing it.

Coun. SMITH—Mr. President, I would hesitate to become a mind reader if it were not for the fact that Mr. Curley has already assumed that rôle. He has stated his idea of what I undoubtedly know. Allow me to state what he undoubtedly knows, that is, that this contract will be let before consideration of this matter comes about, unless we put it up to somebody capable of investigating it, and there is no legal reason why the Finance Commission should not investigate it. Of course whatever the Boston *American* sees fit to imply cannot be brought to my door. I stated directly at the beginning of the afternoon when I brought the measure up that I did it only to permit Mr. Maynard and Mr. McGrath to get out of an awkward position, and I repeat that that is my only object in asking for an investigation of this matter. I hope the order will pass and that the investigation will be put up to the Finance Commission. The investigation undoubtedly will take very little time and will free these gentlemen named from implications of wrong doing.

Coun. KENNY—Mr. President, certain members who were here a short time ago are now absent, and I think, pending the recess we are about to take, that this matter should lie on the table. I make that motion.

Coun. KENNY'S motion to lay the order on the table was declared carried.

SECOND RECESS TAKEN.

On motion of Coun. ATTRIDGE the Council voted at 7.50 p. m. to take a recess subject to the

call of the Chair, and reassembled in the Council Chamber and were called to order by President COLLINS at 8.30 p. m.

ADDITIONAL EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following additional executive reports:

(a) Report on the ordinance (referred March 20) to amend section 1 of chapter 9 of the Revised Ordinances of 1910 relative to storekeepers—that no further action is necessary.

Report accepted.

(b) Report on communication from the Mayor, with accompanying communication from the Election Commission relative to new precinct, Ward 20 (referred February 20), that no further action is necessary.

Report accepted.

(c) Report on order (referred last year) for employment of Frederick J. Glenn as assistant to the City Messenger—that said order ought to pass. The order was as follows:

Ordered, That Frederick J. Glenn be and he is hereby employed as an assistant in the City Messenger's office, and that he receive compensation at the rate of $900 per annum, the same to be charged to the appropriation for City Council, Incidental Expenses.

The report was accepted, and the question came on the passage of the order.

Coun. KENNY—Mr. President, I am going to vote against the adoption of that order. It does not seem to me that under all the circumstances the Council should at this time go into that matter. Under the new organization of the city government, with a board of nine, meeting but once a week, I believe that the City Messenger's Department as it is at present constituted is quite sufficient and able to take care of and discharge all the duties of the office. As I have already said in executive session, I think this will be establishing a precedent for other positions to be created. I don't believe this is essential; I do not believe that this additional assistant is needed at this time. The department at the present time is running satisfactorily. No one offers the slightest criticism of it. The work is being performed by the City Messenger and his assistant to the satisfaction of everybody. In view of the fact that we have so few meetings, none at all in the forenoon, and as the Board itself meets but once a week, I think the two gentlemen now looking after that department are sufficient. Therefore I shall vote against the adoption of the order.

Coun. HALE—Mr. President, of course this question is for all of us simply a question of opinion as to whether we think this essential. I have considered what Mr. Leary has stated before us and what I have seen of his department. I have been down there very often, and I think the department does need another man. Since voting in the committee, however, I have been thinking a good deal about the amount of the pay. I understand from Mr. Leary that this man he proposes to employ is perfectly willing to come for a good deal less than we have authorized; and I think, in consideration of that fact, that we ought to amend this order by reducing the amount to $750. I should like to offer that as an amendment, and then I shall vote in favor of the order.

Coun. McDONALD—Mr. President, I don't think there has been an argument advanced here why this man should not be employed. Coun. Kenny says that he has not had any evidence of the necessity of employing this man, and he gives as an argument the fact that the City Council now consists of but nine members, and meets but once a week. The old Board of Aldermen and Common Council, it is true, had two meetings a week. But the Messenger's Department at that time had much more help. There were seven assistant messengers and they used them all the time. They did not have any work in the morning, but they had lots of work in the afternoon. Whether Coun. Kenny thinks it is necessary to employ a man or not, I think it is necessary. I have gone down to the City Messenger's office at times this past year and have not found anybody there, and I have seen Mr. Glenn around here doing a lot of work all the time. I am around here as much as anybody in the Board, and I see him employed all the time, doing work for the City Messenger. He is on the pay roll of the Public Buildings Department. I understand that Mr. Fish has said within two or three weeks that he was on his pay roll and that he was going to have him do work for him, was not going to allow him to do work for the City Messenger. The City Messenger told the committee that he did not have help enough, that he needed another man, and possibly could get along with a boy. As long as I am a member of the Council I will never be willing to do anything to place a boy at work in City Hall, in any kind of a place. I would not allow my brother to come here for $25 a week, because after he had been here a while he would be no good to himself, to his family or anyone else. I say employ a man, and employ a man of experience. I do not agree with Mr. Hale in the matter of salary. I think a salary of $900 is little enough for a man to do work in City Hall or for any other corporation or private concern. Seven hundred fifty dollars is not as much money as he is getting now. He is now getting $15 a week. I say if you are going to employ him, do so at a decent salary. I am not in favor of amending the order in that respect at all. Employ him at the salary the order calls for.

Coun. CURLEY—Mr. President, I recognize the fact that votes count, and I would move a further amendment, that the salary paid be $800. I believe that will be agreeable to everybody. Some of the members have been in favor of employing a boy at $5 a week. I believe in having a man who is familiar with the job, who is always on the job, and I believe such a man is worth $800 a year. I am agreeable to an amendment that the salary be $800 a year.

Coun. KENNY—Mr. President, I wish it understood, as far as I am concerned, that I know of no reason against Mr. Glenn being employed in any department. I offer no suggestion of criticism against Mr. Glenn. Neither am I in favor of the employment of a boy. It seems to me if any person is employed it should be an adult. But the difficulty is this, that I don't recognize that there is any necessity whatever at this time of employing another person in that department. I think it is opening the door for other cases of that character, that will creep in from time to time.

Coun. CURLEY—Mr. President, I don't feel that it is necessary to prolong the debate on a proposition of this character. It is a fact known to all the members of this Council that, no matter what time of the day they come here, they find this man at work taking care of this Chamber and keeping things in order, or doing work required down below. I think he is a proper man to employ for the job, and that he ought to have it.

Coun. Curley's amendment, reducing the amount of compensation to $800 a year, was adopted, and the order as amended was passed, Coun. KENNY calling for the yeas and nays, yeas 5, nays 4:

Yeas—Coun. Attridge, Buckley, Curley, Hale, McDonald—5.

Nays—Coun. Ballantyne, Collins, Kenny, Smith—4.

(d) Report on message from the Mayor and order appropriating $800,000 for City Hall annex (referred to-day)—that the order ought to pass.

Coun. ATTRIDGE—Mr. President, on behalf of the Executive Committee I desire to say that the committee referred the communication from the Finance Commission to the Law Department, and that Judge Corbett of the Law Department appeared before the committee and addressed them in reference to one or two legal points connected with the communication from the Finance Commission. The committee, after listening to Judge Corbett, decided to report back that the order ought to pass. I simply make this statemant for the purpose of having it upon the records, so that the people of Boston may know that we discussed these matters with the members of the Law Department.

Report accepted, order passed, yeas 9, nays 0.

BIDS FOR WORK ON ANNEX.

Coun. KENNY—Mr. President, in connection with the vote just taken I desire to offer the following resolution:

Resolved, In the opinion of the City Council the interests of the city require that in the preparation of plans and specifications for the construction of the annex to City Hall that public competition be invited.

The resolution was adopted.

APPROPRIATION REPORTS.

Coun. BALLANTYNE, for the Committee on Appropriations, submitted the following:

(1) The Committee on Appropriations, to whom was referred the message of the Mayor transmitting the estimates of the several departments for the financial year 1911-12, and the appropriations recommended by him, having considered the same, respectfully submit the following Appropriation Bill for the city and county for the present financial year (Document 60), and recommend its passage, together with the accompanying orders.

For the Committee,
WALTER BALLANTYNE,
Chairman.

—

City of Boston.
Appropriation and Tax Orders for the Financial Year 1911-12.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of February, 1911, of performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year, upon the City of Boston, or the County of Suffolk, or the departments or officers thereof, the respective sums of money hereinafter specified be, and the same are, hereby appropriated for the several departments, and for the objects and purposes hereinafter stated.

Ordered, That the appropriations for Water Service, current expenses, and the payments to the state under the provisions of chapter 488 of the Acts of 1895 and acts in addition or amendment thereto, and for the interest requirement for loans issued for water purposes, be met by the income from said works and any excess over income from taxes; that the other appropriations hereinafter specified or heretofore made be met out of the money remaining in the treasury at the close of business on January 31, 1911, exclusive of the money raised by loan or needed to carry out the requirements of any statute, gift, trust or special appropriation, and by the income of the financial year, beginning February 1, 1911, and by taxes to the amount of $14,558,667.62, and that said amount be raised by taxation on the polls and estates taxable in the City of Boston.

Ordered, That all sums of money which form no part of the income of the city, but shall be paid for services rendered or work done by any department or division for any other department or division, or for any person or corporation other than the City of Boston, be paid into the general treasury and then credited to the appropriation of the department or division rendering such service or doing such work, and that all contributions made to any appropriation be expended for the objects and purposes directed by the several contributors thereof.

Ordered, That to provide temporarily money to meet the appropriations aforesaid, the City Treasurer issue and sell, at such times and in such amounts as he may deem best, notes or certificates of indebtedness of the City of Boston, not exceeding nine million dollars in the total, in anticipation of the taxes of the current municipal year; that all such notes or certificates of indebtedness be dated the day the money for the same is received, be made payable with the interest thereon at the office of the City Treasurer within the current financial year, from the taxes of said year, and bear interest from their date until the same are made payable at such rate as said treasurer shall deem proper.

Ordered, That all taxes raised to meet the appropriations of the City Council, and all taxes assessed for meeting the city's proportion of the state tax of the year 1911, or of any other taxes or assessments payable to the Commonwealth, be due and payable on the first day of October, 1911; that all such taxes paid after the first day of November, 1911, bear interest from and including said day until paid, at the rate of six per cent per annum, except the taxes assessed upon shares of stock of national banks shall bear interest at the rate of twelve per cent per annum from and including said first day of November until paid; and that all interest which shall have become due on taxes shall be added to and be a part of such taxes.

Art Department: Fifteen hundred dollars		$1,500 00
Assessing Department: One hundred seventy-five thousand dollars		175,000 00
Auditing Department: Forty-six thousand three hundred dollars		46,300 00
Bath Department: One hundred eighty-six thousand dollars		186,000 00
Building Department: One hundred sixteen thousand dollars—		
Building Department	$113,000 00	
Board of Appeal	3,000 00	
		116,000 00
Cemetery Department: Seventy-five thousand dollars		75,000 00
City Clerk Department: Forty-six thousand dollars		46,000 00
City Documents: Thirty-six thousand dollars		36,000 00
Collecting Department: One hundred thirty-five thousand dollars		135,000 00
Consumptives' Hospital Department: One hundred eighty-eight thousand dollars		188,000 00
Election Department: One hundred forty-one thousand dollars		141,000 00
Finance Commission: Thirty-five thousand dollars		35,000 00
Fire Department: One million six hundred thousand dollars—		
Current expenses	$1,492,000 00	
Pensions	108,000 00	
		1,600,000 00
Health Department: Two hundred seventy-seven thousand dollars		277,000 00
Hospital Department: Five hundred fifty thousand dollars		550,000 00
Institutions:		
Boston Infirmary Department: One hundred eighty-four thousand five hundred dollars—		
Boston Almshouse and Hospital	$149,600 00	
Almshouse, Charlestown	16,400 00	
Pauper expenses	6,500 00	
Office expenses	4,700 00	
Steamer "George A. Hibbard"	7,300 00	
		184,500 00
Children's Institutions Department: Two hundred three thousand five hundred dollars—		
Placing Out and Office Division	$103,000 00	
Parental School	55,500 00	
Suffolk School for Boys	45,000 00	
		203,500 00
Institutions Registration Department: Twenty-one thousand two hundred dollars		21,200 00
Steamer "Monitor": Twenty-seven thousand dollars		27,000 00
Law Department: Fifty-one thousand dollars		51,000 00
Library Department: Three hundred fifty-five thousand two hundred dollars		355,200 00
Licensing Board: Forty thousand dollars		40,000 00
Market Department: Eleven thousand five hundred dollars		11,500 00
Mayor: Fifty-seven thousand five hundred dollars—		
Office expenses, etc	$50,500 00	
Bureau of Information	7,000 00	
		57,500 00

Music Department: Seventeen thousand six hundred dollars		$17,600 00
Overseering of the Poor Department: One hundred forty-two thousand five hundred dollars		142,500 00
Park Department: Three hundred eighty-five thousand dollars		385,000 00
Police Department: Two million one hundred eighty-five thousand dollars—		
Current expenses	$2,053,201 00	
Pensions	131,799 00	
		2,185,000 00
Printing Department: Salary of Superintendent and operating expenses to be met by revenue.		
Public Buildings Department: Two hundred thousand dollars		200,000 00
Public Grounds Department: One hundred fifty-eight thousand two hundred dollars		158,200 00
Public Works Department: Four million one hundred ninety-one thousand two hundred dollars—		
Central office	$80,000 00	
Bridge and Ferry Division	553,000 00	
Highway Division	3,257,000 00	
Sewer and Water Division, Sewer Service	301,200 00	
		4,191,200 00
Registry Department: Forty thousand dollars		40,000 00
Sinking Funds Department: Two thousand four hundred dollars		2,400 00
Soldiers' Relief Department: Two hundred twenty thousand dollars		220,000 00
Statistics Department: Thirteen thousand dollars —		
Statistics Department	$12,000 00	
City Record, publication of	1,000 00	
		13,000 00
Street Laying-Out Department: One hundred twenty-four thousand dollars		124,000 00
Supply Department: Fourteen thousand dollars		14,000 00
Treasury Department: Forty-eight thousand six hundred dollars		48,600 00
Weights and Measures Department: Twenty-four thousand two hundred twenty-six dollars,		24,226 00
Wire Department: Sixty-two thousand dollars		62,000 00
County of Suffolk: One million three hundred thirty-one thousand seven hundred eleven dollars—		
County Buildings	$94,200 00	
Jail	66,875 00	
Supreme Judicial Court	41,000 00	
Superior Court, Civil Session	319,679 00	
Superior Court, Criminal Session	162,000 00	
Probate Court	31,590 00	
Municipal Court Justices	40,100 00	
Municipal Court, Civil Session	29,900 00	
Municipal Court, Criminal Session	83,900 00	
Municipal Court, Charlestown District	12,000 00	
East Boston District Court	10,320 00	
Municipal Court, South Boston District	12,700 00	
Municipal Court, Dorchester District	8,870 00	
Municipal Court, Roxbury District	23,000 00	
Municipal Court, West Roxbury District	9,382 00	
Municipal Court, Brighton District	6,000 00	
Boston Juvenile Court	11,300 00	
Police Court, Chelsea	13,300 00	
Registry of Deeds	56,000 00	
Index Commissioners	15,000 00	
Insanity cases	22,500 00	
Land Court	2,500 00	
Medical examinations	22,000 00	
Miscellaneous expenses	11,595 00	
	$1,105,711 00	
Penal Institutions Department:		
House of Correction	$205,000 00	
Office expenses	21,000 00	
	226,000 00	
		1,331,711 00
		$13,718,637 00
Water Service: One million twenty-eight thousand nine hundred sixty dollars. (To be paid by water income.)—		
Current expenses and extension of mains	$900,000 00	
Debt requirements. (Interest.)	128,960 00	
		$1,028,960 00

The report was accepted, the Appropriation Bill was read a second time, and the question came on its adoption.

Coun. ATTRIDGE—Mr. President, I move you, sir, that there be an amendment attached to the appropriation for the Department of Public Works, Bridge and Ferry Division, $3,000, for a footbridge over Fort Point channel, Dover Street Bridge. This is a sum which has been recommended, as I understand, by the Mayor in communications to the City Council and to the Committee on Appropriations. The Committee on Appropriations discussed the matter at some length, and it was the opinion of the majority of the members of the committee that this $3,000 was necessary. I move, sir, an amendment to include that sum.

Coun. HALE—Mr. President, I hope that that amendment will not prevail. My attention was first called to this question of the $3,000 item by Auditor Mitchell who, as I understand, feels very strongly on the subject. I may be wrong in my facts. If I am, I am willing to be corrected, because I would like to get at the facts in this case. But, as I understood it from him, this is a temporary footbridge, while the permanent bridge is being completed, and at most it will be used for only eight weeks. The distance that people would have to go around if this bridge is not put up, is only 600 feet farther. If that is the case I don't think we ought to spend $3,000, and if it is not the case I would like to know what the facts are. Those are the facts as I understand them, given by Mr. Mitchell.

Coun. KENNY—Mr. President, I hope the amendment will prevail. It seems to me it is a very serious proposition, if we are going to discontinue, as a thoroughfare, Dover street, one of the most important arteries in Boston. It means that one whole section of Boston is cut off from communication with another, and that the people would be obliged to travel an additional third of a mile through a section of the city that is hardly desirable for pedestrians. There is a tremendous

number of people coming from Roxbury and the South End across Dover Street Bridge, and vice versa, who will be obliged to travel to Broadway, and they are mostly working people. It seems to me tbat this $3,000 might be very advantageously spent in this way. It will serve a most excellent purpose. The people living in that section of the city are all working people and they will be obliged to go around by Broadway, a third of a mile farther, morning and night, if something of this sort is not done. I think the city can very well afford to make an appropriation for this purpose.

Coun. CURLEY—Mr. President, I feel that my Brother Hale is laboring under a little misapprehension in regard to this proposition. I feel that if he were as familiar with the facts as he might be, he would not take the position he does. I would like to call attention to the fact tbat this is the first bridge one reaches by way of public travel between Boston and Soutb Boston, taking in the Roxbury section; and, while the additional distance might be only 1,600 feet to people traveling in one direction, taking Southampton street it would be somewhere in the vicinity of three miles, if a person was thrown out of his way. About 2,000 chauffeurs, teamsters, stable helpers and men of that kind have sent in a petition in favor of this particular proposition. While, as Coun. Hale says, the time will be but eight weeks, tbe amount of time that will be lost by the enormous number of working people who would otherwise be able to use this temporary bridge instead of going around by Southampton street would be very great. The time saved by this temporary bridge would be worth many times the amount that it will cost. I feel, in view of the fact that a number of petitions have been received from people interested, tbat as a matter of simple justice we should adopt this amendment.

Coun. BALLANTYNE— Mr. President, as chairman of the Committee on Appropriations I might say tbat this matter was thoroughly discussed at considerable lengtb in committee, and tbat it seemed to be the opinion of practically everybody present on that occasion that this was a very necessary appropriation. There were certain reasons why it was not included in our bill at the time. It had to come as a recommendation from the Mayor to the Council in tbe first place. I, for one, am very familiar with the travel over Dover Street Bridge night and morning, and I believe that unless something of this sort is done the people of South Boston, Roxbury and tbe South End will be put to a very great deal of inconvenience, because they would have to walk 1,600 feet farther every night and morning. I sincerely bope the amendment will prevail and tbat this will be added to the bill.

Coun. Attridge's amendment was adopted, and tbe question came on the adoption of the Appropriation Bill as amended.

Coun. SMITH—Mr. President, may I offer another amendment,—that $1,700 be added to the appropriation for the Art Department, for retouching, reframing and rehanging pictures in Faneuil Hall? I may say that this $1,700 which I have suggested was the amount that was taken from the appropriation for the Art Department as banded down by the Mayor. The Committee on Appropriations in deducting that amount from the Mayor's recommendations simply did so not knowing for what purpose the $1,700 was to be used. I have been to the trouble of talking with some of the Art Department trustees and find that they wanted it simply to use for the pictures in Faneuil Hall—not for the protecting of them especially, but, as I have stated in the amendment, for retouching, hanging them over again and reframing them, if they need to be reframed. I think the Art Department can be trusted to spend this money without further specifying the uses to which it is to be put. They have in the past spent less than their appropriation for several years.

Coun. BALLANTYNE—Mr. President, I have no objection to the Art Department appropriation being increased to the amount originally asked for. But they asked for $2,500 and we allowed them $1,500. That is, tbe reduction in the amount of their appropriation was $1,000, and this adds $1,700 or $700 more than they originally asked for. Therefore, I object to an increase to this amount. I would move to further amend by making the Art Department appropriation $2,500 instead of $1,500, thereby adding $1,000.

Pres. COLLINS—Does the councilor accept tbe amendment?

Coun. SMITH—I do.

Coun. Ballantyne's amendment was adopted, and tbe Appropriation Bill was thus amended, adding $1,000 to the appropriation for Art Department.

Coun. SMITH—Mr. President, I would further move to amend the order, in connection with the appropriation for water service, that any surplus of revenue necessary to meet any of the above named charges be used towards the reduction of water rates for the following year. The reason why I have suggested this is because there is an excess this year of water rates over the original charges against that department of $11,000 or $12,000, in round figures. As it is now the water rates pay for the running expenses of the department. Then tbey pay for the metropolitan debt. Then tbey pay for any extensions of the water system which, under the old plan, would have been charged to loans. There are three separate charges,—first, for an extension of pipes or service in general, which would have been charged to loans in old days, now paid out of the water rates; second, the sinking fund, metropolitan debt; and third, the ordinary running expenses of the department. In using the meter system this surplus of only $12,000 this year will, I am told by the auditor, probably increase, and it is with a view to the increase that I am speaking more particularly than to the present sum. Of course this $12,000 is a small sum, but it is unfair for the water users of this town to have that $12,000 go into the general fund, the general fund being used for general city purposes. It is unfair, therefore, for the water users to pay for general expenses about the town. Tbere is a special class that you are taxing to the extent of $12,000 a year and to a greater extent probably in ensuing years, for other things in the town rather than water. This matter has been called to our attention by various bodies outside of the Council. It meets with the approbation of tbe Finance Commission, I think, and it certainly is true to the facts as stated to me by the auditor.

Coun. Smitb's amendment was rejected by a rising vote, 3 to 5.

The Appropriation Bill as reported, with the above two amendments, was adopted, yeas 9, nays 0.

(2) Report on the message of the Mayor (referred April 3) recommending additional appropriations for the Wire, Building, Hospital and City Clerk Departments—that no further action is necessary.

Report accepted.

(3) Report on the message of tbe Mayor (referred Marcb 30) relative to temporary foot bridge, Dover Street Bridge—tbat no further action is necessary.

Report accepted.

(4) Report on message from the Mayor relative to a sewer yard, Cbarlestown, for the Public Works Department (referred March 20)—recommending reference to Commissioner of Public Works.

Report accepted; said reference ordered.

(5) Report on message of the Mayor relative to connection of Finance Commission with appropriations (referred March 13)—that the same be placed on file.

Report accepted; said message placed on file.

(6) Report on message of the Mayor and communications from Superintendent of Public Grounds (referred March 27) relative to appropriation of $15,200 for moth suppression—that no further action is necessary.

Report accepted.

(7) Report on message of tbe Mayor and communication from George H. Ingraham (referred March 27) relative to Technology site for new City Hall—that the same be placed on file.

Report accepted; said message and communication placed on file.

(8) Report on message of the Mayor (referred Marcb 27) relative to various general improvements—recommending reference to tbe committee on finance.

Report accepted; said reference ordered.

PRINTING OF MUNICIPAL LIGHTING COMMUNICATIONS.

Coun. ATTRIDGE offered an order—That all communications from the Commissioner of Public Works as submitted to-day, concerning municipal lighting, be printed as public document in accordance with order submitted March 27.

Passed.

BLOSSOM STREET BATHS—PLUMBING.

Coun. SMITH—Mr. President, I would like to call up from the table the matter that we had under consideration at the time we took our recess.

The order that the Finance Commission be requested to investigate and report concerning the bids submitted for the reconstruction of the ward-room on Blossom street, Ward 8, into public baths with special reference to bids for plumbing (laid on the table earlier in the meeting) was taken from the table.

President COLLINS—The question comes on reference to the Executive Committee, under the motion made by Coun. Curley before the meeting, when we took a recess.

The order was declared referred to the Executive Committee.

GENERAL RECONSIDERATION.

On motion of Coun. CURLEY reconsideration of all action taken to-day was refused.

Coun. SMITH—Mr. President, I would like to ask reconsideration of the action on the last order.

Coun. BALLANTYNE—We have just refused to reconsider all action taken to-day, Coun. Smith, and accordingly your motion is out of order.

Adjourned, on motion of Coun. CURLEY, at 10.01 p. m., to meet on Monday, April 17, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Friday, April 14, 1911.

Special meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President COLLINS in the chair. Absent—Coun. Curley and Hale.

The Clerk read the call for the meeting, as follows:

City of Boston,
Office of the Mayor, April 13, 1911.

To the Members of the City Council:

In view of the fact that a special meeting of the City Council is to be held on Friday, April 14, at 2 p. m., for the purpose of drawing jurors, I desire to recall the notice of a meeting to be held on Saturday, April 15, at 10 a. m., issued by me to-day, and to request you to assemble instead at 2.15 on Friday, April 14, for the purpose of providing an appropriation for a temporary footbridge on Dover street, and of transacting such other business as may legally come before said meeting.

Yours truly,
JOHN F. FITZGERALD, Mayor.

Placed on file.

JURORS DRAWN.

Twelve additional jurors were drawn for the Superior Civil Court, Third Session, April term, in accordance with the provisions of chapter 514, Acts of 1894 (the Mayor being present), viz.:

John F. Ahern, Ward 22; John W. Warren, Ward 14; George Goodfellow, Ward 16; Thomas F. Finn, Ward 5; John O'Connor, Ward 14; John Barry, Ward 22; John McLaughlin, Ward 23; Louis Steuer, Ward 24; Fred E. Carlton, Ward 20; Frank A. Robinson, Ward 17; Henry W. Jones, Ward 18; William F. Spurr, Ward 16.

DOVER STREET FOOTBRIDGE.

The following was received:

City of Boston,
Office of the Mayor, April 14, 1911.

To the City Council:

I have carefully considered the order of your honorable body appropriating the sum of fourteen million five hundred sixty-two thousand six hundred sixty-seven dollars and sixty-two cents ($14,562,667.62) for the city and county for 1911–12 and have reduced this amount by the sum of three thousand dollars ($3,000) by eliminating the item for "Temporary Footbridge, Dover Street," added to the appropriation for the Department of Public Works. While I have expressed a willingness to approve this item I am advised by the Corporation Counsel, in a communication forwarded herewith for your consideration, that a previous recommendation of the Mayor is requisite to the validity of any vote of your honorable body increasing any appropriation from taxes or adding any item to such appropriation.

I desire, therefore, in order to comply with the necessary legal forms, to recommend the passage of the accompanying order, appropriating the sum of three thousand dollars ($3,000) for temporary footbridge, Dover street, to be expended by the Commissioner of Public Works.

Respectfully,
JOHN F. FITZGERALN, Mayor.

—

Law Department,
Boston, April 13, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston:

Dear Sir,—Your letter of the twelfth instant, concerning a vote passed by the City Council increasing certain items of the budget, such items being, "Increase the item for the Art Department of $1,500 to $2,500; under Public Works Department, Bridge and Ferry Division, insert the following item: Temporary footbridge, Dover street, $3,000," was received. You inquire as to whether the approval of the Mayor, required by section 3 of chapter 486 of the Acts of 1909, can be given after the passage of the vote or whether it must precede such passage.

I know of no similar provision in any city charter and can find no decision of any court on the matter. It therefore must be decided by the language of the section itself.

As far as the clause which you quote is concerned, I think that the approval of the Mayor could be given after the passage of the vote. The doubt arises from the language used in the first part of the section which in substance is that all appropriations to be made from taxes, revenues or any source other than loans shall *originate* with the Mayor who shall submit to the City Council the annual budget and may submit thereafter supplementary budgets.

Taking this section as a whole, I am of opinion that all the items of the annual budget must originate with the Mayor and that the items referred to are not legally a part of the Appropriation Bill and that it would be safer for you to call the attention of the City Council to the fact that all appropriations must originate with the Mayor, that you have no objection to these items, but, in order to remove any doubts as to their legality, recommend that these items be passed by separate vote.

Yours respectfully,
THOMAS M. BABSON,
Corporation Counsel.

—

Ordered, That the sum of three thousand dollars ($3,000) be added to the appropriation for Dover Street Bridge, to be expended by the Commissioner of Public Works for a temporary footbridge, and that the said amount be raised by taxation upon polls and estates taxable in the City of Boston.

The order was passed, yeas 7, nays 0.

APPROPRIATION FOR MERIDIAN STREET BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, April 14, 1911.

To the City Council:

For the reasons set forth in the accompanying communications from the Commissioner of Public Works and the Division Engineer of the Bridge and Ferry Division, it seems to me urgently necessary that the appropriation for the reconstruction of the Meridian Street Bridge should be increased by the sum of sixty-three thousand dollars ($63,000), which is the amount needed, according to the estimates made by the city engineers, for the widening of the draw to a width of 100 feet. I recommend therefore the passage of the appended order, which provides this additional sum.

Respectfully,
JOHN F. FITZGERALN, Mayor.

—

City of Boston,
Public Works Department,
City Hall, April 14, 1911.

To the Honorable the Mayor:

In connection with the Meridian Street Bridge reconstruction, kindly note attached report of Division Engineer Fay upon the matter.

Inasmuch as the United States engineer insists on a channel one hundred feet in width and will not approve the reconstruction of the bridge with the channel of less width, I would suggest that you recommend the Honorable City Council to provide an increase of $63,000 to the present appropriation, in order to comply with the decision of Colonel Abbot.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

City of Boston,
Public Works Department,
Bridge and Ferry Division, April 14, 1911.

Mr. L. K. Rourke,
Commissioner of Public Works:

Dear Sir,— On the occasion of the visit of his Honor the Mayor and City Engineer Jackson to Washington in June, 1910, an understanding was reached between the city authorities and the War

Department by which the latter would agree to the city's plan for repairing Meridian Street Bridge by the construction of a new steel draw span in place of the existing wooden draw span and by making necessary repairs to the pile structure, leaving the two waterways at their present width, namely, 59 feet each. It was upon this plan that an appropriation of $125,000, for repairs to this bridge was made available last summer. In compliance with the requests of wharf owners on Chelsea creek above the bridge for a wider channelway, the city later agreed to the widening of each channel by 11 feet, and plans were prepared and bids received on February 28, 1911, for the reconstruction of the bridge with channels 70 feet wide. An understanding having been reached between the Superintendent of Streets and officials of the Boston Elevated Railway Company, by which that company would share in the expense of the work, owing to provision being made on the bridge for its heavy cars, it was possible to provide in the reconstruction for wider channels at extra expense without increasing the city's appropriation.

Since the conference between the city officials and those of the War Department last June the situation has changed, owing to the fact that Congress has made an appropriation for the survey of Chelsea creek with a view to dredging that waterway to a depth of 30 feet. It is practically certain that upon the completion of the surveys this fall Congress will at its next session authorize an appropriation for this dredging, and when the work is carried out, that channel will be available for the largest steamers now entering Boston Harbor. In view of this improvement of Chelsea creek a channelway through the bridge wider than 70 feet seems necessary to properly provide for navigation purposes, and the United States engineer officer in Boston, Colonel Frederic V. Abbot, insists upon the need of a channel at least 100 feet in width and will not approve the reconstruction of the bridge with a channel of less width.

Inasmuch as it is necessary to secure the approval of the War Department for any work that can be done, and as the Secretary of War is likely to be guided in his decision by the recommendations of his local officer in Boston, the city will undoubtedly be forced to accept this decision. At present the draw span of this bridge is in such a dilapidated condition that it is unsafe for street car travel and may at times become unsafe for travel of any kind, and something should be done at once.

The bridge can be reconstructed with a single channel 100 feet in width, provided the present appropriation be increased by the sum of sixty-three thousand dollars ($63,000).

As the projected improvement of Chelsea creek will add to the taxable valuation of East Boston, and as the bridge as thus reconstructed will provide all facilities needed for navigation for years to come, thereby postponing for some years the building of a permanent bridge on this location, it is recommended that this additional appropriation be made.

Respectfully,
FREDERIC H. FAY,
Division Engineer.

Ordered, That the sum of sixty-three thousand dollars ($63,000) be hereby appropriated, to be expended by the Commissioner of Public Works in the reconstruction of the Meridian Street Bridge; and that to meet the said appropriation the City Treasurer be authorized to issue from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

EXPENDITURE OF PARKMAN FUND INCOME.

The following was received:

City of Boston,
Office of the Mayor, April 14, 1911.

To the City Council:

A review of the various improvements made from the income of the Parkman Fund shows that thus far the entire income has been expended for the Aquarium at Marine Park and the Zoological Garden at Franklin Park, the bandstand on the Common, and certain general improvements on the Common and on the Charlesbank. In the meantime various recommendations have been made by civic organizations and city departments, which, if carried out, would consume the revenue from this source for several years to come. Among others I may point out the sum of two hundred thirty thousand dollars ($230,000) which has been requested by the Park Department for the partial completion of the Zoological Garden and the Aquarium before June 1, 1912. The recommendation of the United Improvement Association that the smaller parks of the city receive attention, and the specific request of the Charlestown Improvement Association that a part of the revenue be devoted to work upon the parks in that section of the city.

It is obvious that the time is ripe for a comprehensive plan by which the income of this fund could be laid out for a series of years and the various schemes proposed be brought together in some harmonious relation. With reasonable care in the investments the income from the Parkman endowment will amount to about two million dollars ($2,000,000) in the next decade, or twenty million dollars ($20,000,000) in a century. It would seem that with such an enormous sum assured for a particular purpose, the opportunity to utilize it in a large way and in accordance with some program prepared by competent experts is too inviting to be ignored. I suggest that the Parkman Fund Committee consider the matter from this point of view and devote itself to the task of outlining a plan for the application of the income during the next five or ten years.

Incidentally, I beg to call your attention to the absence in Boston of any institution corresponding to the horticultural buildings which are so attractive a feature of Belle Isle Park in Detroit, the Bronx and Central Parks in New York, and the south and west side parks in Chicago. These buildings are filled the whole year round with flowering plants or herbs and shrubs interesting for their foliage and arranged so as to produce miniature landscape or garden effects, while occasional displays of flowers appropriate to certain seasons correspond to the flower shows which are held from time to time in Boston under private auspices. The pleasure afforded by these floral displays is of the most refined character and they are made a means of instruction to school children and others. I suggest that the Parkman Fund Committee consider the establishment of such a building in one of our larger and more central parks.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Referred to the Committee on Parkman Fund.

TROPHY FOR YACHT RACE.

The following was received:

City of Boston,
Office of the Mayor, April 14, 1911.

To the City Council:

I have been informed by Mr. B. S. Permar, chairman of the regatta committee of the Boston Yacht Club, that there is considerable doubt whether six yachts will enter for the Boston-Bermuda yacht race to be held this summer. As the condition attached to the order passed by your honorable body at its meeting of March 27, and approved by me, requires that this number should participate it is obvious that there is some danger that the City of Boston trophy cannot be awarded to the winning yacht and the race will thereby lose much of its zest and distinctive character. Mr. Permar assures me that four entries are expected and that this is about the usual number for contests of this exacting nature. I have therefore drafted the accompanying order and recommend its acceptance by your honorable body, with the understanding that unless four yachts actually take part in the race the trophy will not be awarded.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That so much of an order passed at the meeting of the City Council held March 27, and approved by his Honor Mayor Fitzgerald as restricts the number of yachts which must participate in the Boston-Bermuda yacht race before the trophy provided for in that order can be awarded, be rescinded.

Referred to the Executive Committee.

The vote whereby the order was referred to the Executive Committee was reconsidered, on motion of Coun. BALLANTYNE, and the order was passed.

FIRE ESCAPES, PUBLIC BUILDINGS.

The following was received:

City of Boston,
Office of the Mayor, April 11, 1911.

To the City Council:

I beg to transmit a communication from the Superintendent of Public Buildings, containing his report upon the need of fire escapes on some of the more important buildings of the city, including the City Hall, Faneuil Hall, and others of considerable historic importance. I would suggest that a committee of your honorable body investigate the conditions in these buildings and make a report which might form the basis of an appropriation order after due consideration and the recommendation which is required by law.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Office of Public Buildings Department,
Old Court House, March 8, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Regarding the matter of public buildings, in charge of this department, which are not properly equipped with fire escapes and easy means of egress, I wish to call your attention to some of the most important, which I have personally inspected and some of which I find are in a deplorable condition. It is true that this condition has existed for many years.

The City Hall building has but one main stairway and in case of fire it would be difficult, if not practically impossible, for all employees and others having business in the building to escape. The Building Commissioner (Mr. Everett) and myself have inspected this building and have come to the conclusion that fire escapes must be erected at once, and he has so notified me and given me ten days in which to prepare to carry out the requirements of his department in this matter.

In order to make easy means of access to the fire escapes it will be necessary to cut through several brick partition walls and to support the weight of walls with iron beams, also to rearrange plumbing apparatus, etc., where the same comes in way of such openings. This is necessary in order that escapes may be reached without going into the corridors. I estimate that the amount required for City Hall will be $3,500.

Another very important building which should have immediate attention is the Wayfarers' Lodge on Hawkins street. This building, as you are aware, is of second-class construction, with woodyard adjoining, and practically no fire escapes. It is three stories high with dormitories on the second and third floors. These dormitories are furnished with sleeping accommodations for about two hundred and fifty people, and I am informed are usually occupied to their full capacity at night.

Fire escapes should be erected on three sides of this building with proper means of access to same. I estimate that the amount required on this building will be about $800.

The Faneuil Hall building has one main stairway up through to the top of building and a small spiral stairway from rear of stage in the lower hall to the street. I think that the lower or main hall could be easily vacated in case of fire, but the quarters on the top floor, which are occupied as an armory by the Ancient and Honorable Artillery Company, must be provided with escapes from rear end of building to the street. This will require the cutting through of brick walls, etc., and I estimate that the cost of same will be about $1,500.

The old City Hall building at City Square, Charlestown, has but one main stairway. The second floor is occupied as a branch of the Public Library and consequently is much frequented by children. Fire escapes should be provided without delay. I estimate cost here to be $350.

The old Cross Street Schoolhouse on Cross street, Charlestown, is a two and one-half story wooden building, occupied by the Colonel F. B. Bogan Camp, Spanish War Veterans, and has no ready means of access. The second floor contains a hall in which, at times, social functions are held and consequently visited by a number of people. I feel that escapes should be provided here and estimate cost to be $150.

The old Armory Building on Winthrop street, Charlestown, occupied on first floor by Fire Department and upper floors formerly used for militia purposes. It is expected that the upper floors may again be occupied, in which case fire escapes will be necessary and I estimate amount required here will be about $475.

The fuel house, on Main street, Charlestown, is occupied on upper floors by the G. A. R. Post No. 149 and with but one stairway. They sometimes hold social functions in these quarters and it would be difficult to escape in case of fire or panic. I feel that proper fire escapes should be provided, to cost about $175.

The conditions at the old Smith Schoolhouse on Joy street, which is occupied by the Robert G. Bell Post No. 134 G. A. R., are practically the same as at the above mentioned building and fire escapes should be provided and will cost about $250.

The Thomas Street Schoolhouse is occupied by Boston Post No. 200 G. A. R., and has but one stairway. On the second floor is a fair sized hall used for socials, meetings, etc. This building should be provided with fire escapes which would cost about $150.

The Westerly Hall building on Centre street, West Roxbury, is a two and one-half story building of wooden construction with but one stairway. The second floor is occupied as a branch of the Public Library and consequently is much visited by children. Proper fire escapes should be provided immediately. I estimate cost on this building to be about $190.

The old town hall, Brighton, is a two and one-half story wooden building with but one stairway. The wardroom is on the first floor and the second floor is leased to Post No. 92 G. A. R., in which socials are often held. I estimate that cost of providing fire escapes on this building to be $150.

The courthouse in Roxbury district has but one main stairway and should be provided with fire escapes in the rear of building, to cost about $175.

The courthouse in the South Boston district is occupied by court room on first floor, with wardroom on second floor and upper hall occupied by G. A. R. Post, and has but one stairway. Under these conditions it is absolutely necessary that fire escapes be immediately provided and same will cost in the vicinity of $250.

The courthouse in Dorchester district is a three story brick building with court room on first floor and two upper floors occupied as a branch of the Public Library. The library quarters are much frequented by the residents in this vicinity and the need of fire escapes here is urgent. I estimate the cost of above to be about $350.

In connection with the above work of installation of fire escapes it will be necessary to do considerable carpentry and mason work in providing easy access to same and I am of the opinion tbat about $1,000 will be required for this purpose.

Consideration has been given to the matter of providing fire escapes on the Old State House building. This building is much frequented by visitors to the city and has but one main stairway, with no means of passing from one end of building to the other without crossing over this stairway. It is possible that fire escapes could be dispensed with here by limiting the number of persons going into the upper floors of the building at any one time.

To recapitulate, I estimate that the amount of additional appropriation required on account of the above will be eighty-six hundred ninety (8,690) dollars for public buildings, general expenses, and seven hundred seventy-five (775) dollars for appropriation for county buildings.

Yours respectfully,
M. J. FISH,
Superintendent of Public Buildings.

Referred to the Executive Committee.

PETITION REFERRED.

A petition for a hearing on claim of Michael Nolan, for compensation for injury received, was received.

Referred to the Committee on Claims.

COAL AND COKE LICENSE.

A copy of coal and coke license granted by the Secretary of the Commonwealth was received.

Placed on file.

NOTICE OF HEARINGS.

Notice was received from the Harbor and Land Commissioners of hearings on April 26, on petition of Commissioner of Public Works, for license to rebuild pier of Neponset Bridge, and to build wharf and pier for fireboat at Northern Avenue Bridge.

Placed on file.

STORAGE OF OIL.

Notice was received from George E. Ladd, 396 Columbus avenue, corner West Canton street, that said building was occupied for keeping and sale of oils or fluids composed wholly or in part of the products of petroleum, and of intention to use said building for same purpose for the ensuing year.

Placed on file.

APPROVAL OF RAILWAY LOCATIONS, ETC.

Notices were received from the Railroad Commissioners of approval by them of Plan 35,400, showing location and construction of elevated railway from a point near Grove street to Cambridge Bridge, and approval relative to route from Beacon Hill to Cambridge Bridge and station at Charles and Cambridge streets.

Placed on file.

TAKING OF LAND.

A plan and description of the proposed taking of land by the Boston Elevated Railway Company, from Charles street to the entrance to the Beacon Hill Tunnel, near Phillips and Grove streets, was filed with the City Clerk to-day.

Placed on file.

NOTICE OF APPOINTMENT.

Notice was received of the following appointments by the Mayor, certified copies of which were delivered to the Civil Service Commission on April 12, viz.:

P. Robert Greene, Overseer of the Poor; Myles Martin, Overseer of the Poor; James T. Wetherald, Sinking Funds Commissioner; Frederick E. Ateaux, Cemetery Trustee, Arthur Berenson, Infirmary Trustee; Nathaniel W. Emerson, Infirmary Trustee.

Placed on file.

APPROVAL OF APPOINTMENTS.

Notice was received from the Civil Service Commissioners of approval of appointments of John J. Murphy, to be a principal assessor, and William F. Kenney, to be a Library Trustee.

Placed on file.

SIDEWALK ORDERS.

President COLLINS offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along the southerly side of Roxbury street, between Centre and Gardner streets, Ward 19, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of gravel with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Ordered, That the Commissioner of Public Works make a sidewalk along both sides of Newhall street, between Pierce avenue and Ashmont street, Ward 24, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Ordered, That the Commissioner of Public Works make a sidewalk along both sides of Williams street, between Washington and Forest Hills streets, Ward 23, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of gravel with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Orders severally passed.

CLAIMS.

Coun. BUCKLEY, for the Committee on Claims, submitted a report on the petition of H. G. Spence and Lizzie C. Hurd (referred last year) for a hearing on claim for damages to estates on Crafts street by change of grade—recommending reference of same to the Board of Street Commissioners.

Report accepted; said reference ordered.

GENERAL RECONSIDERATION.

Coun. BUCKLEY moved reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

THE NEXT MEETING.

Coun. BUCKLEY—Mr. Chairman, I move that when we adjourn it be to meet subject to the call of the Chair.

Coun. SMITH—Mr. President, I see no reason for varying the ordinary custom of meeting on Monday. I wondered if Mr. Buckley had any special reason for changing the day or leaving it to the discretion of the Chair?

Coun. BUCKLEY—Mr. President, I have no special reason, but if there is not a large amount of business to be transacted there is no nccessity for meeting. A few of the members with whom I have talked have thought it was a good idea to omit the meeting on Monday, unless we had to have it. For that reason I made the motion. I had as leave be here Monday myself, but if there is not a big docket I see no necessity for it.

Coun. BALLANTYNE—Mr. President, I was in favor of adjourning over to a week from Monday until I had a talk with the chairman of the Committee on Finance, and found that there were some matters in the hands of the chairman that ought to be acted upon Monday.

Coun. BUCKLEY—Then, Mr. Chairman, I withdraw my motion.

Coun. KENNY—Mr. President, I move that when we adjourn it be to meet at four o'clock on Monday. I think only a short meeting will be required.

Coun. BUCKLEY—Mr. President, if we meet at all on Monday I want to meet at three o'clock. It may seem all right to some members to come here at four, but we met here last week at three and were here till ten. I think we ought to get through our meetings as early as possible, and that we ought to meet at the regular time, three o'clock. I am perfectly willing to be here at three o'clock. Therefore, I would move that when we adjourn it be to meet on Monday next at the regular time, at three o'clock in the afternoon.

Coun. KENNY—Mr. President, there are but one or two matters coming up on Monday, I understand, and therefore I think those of us who are obliged to be elsewhere might save that extra time by not being brought here at an unnecessarily early hour. Therefore, I hope my motion, that when we adjourn it be to meet on Monday next at four o'clock p. m., will prevail.

Coun. Kenny's motion was lost.

Coun. Buckley's motion, that when the Council adjourn it be to meet on Monday, April 17, at 3 p. m., was carried.

Adjourned, on motion of Coun. BUCKLEY, at 2.34 p. m., to meet on Monday, April 17, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 17, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair. Absent—Coun. Curley.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last two meetings.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894, viz.:

Nine petit jurors, United States District Court, to appear May 2:

Albion S. Packard, Ward 25; Wolf Fromkin, Ward 18; William Ohrenberger, Ward 14; Thomas F. Coleman, Ward 3; Charles A. Heintz, Ward 18; Harry C. Shibles, Ward 24; Michael Manning, Ward 21; Charles H. Smith, Ward 10; Charles A. Simonds, Ward 5.

Forty-one traverse jurors, Superior Criminal Court, to appear May 3:

Felix F. Lagg, Ward 22; Sidney W. Williams, Ward 16; William J. Mulcahey, Ward 22; George E. Thompson, Ward 15; Peter McGurty, Ward 20; John B. Comerford, Ward 22; James A. Lynch, Ward 23; Paul Stucklen, Ward 20; Frederick M. Davis, Ward 18; Frank L. Colby, Ward 20; Michael J. Flynn, Ward 24; Dennis F. Crowley, Ward 13; Frank W. Alexander, Ward 20; Charles A. Magee, Ward 18; Charles O. Libby, Ward 21; William B. Jackson, Ward 25; George Duenges, Ward 23; Edward R. Forest, Ward 1; Patrick B. Mahoney, Ward 20; James P. Miller, Ward 20; Everett E. Colburn, Ward 12; John P. Calnan, Ward 9; Francis G. Powell, Ward 20; Frank P. J. Buyens, Ward 9; Charles A. Deering, Ward 25; Albert L. Kimball, Ward 3; Jerome J. Crowley, Ward 11; John J. Doherty, Ward 24; John J. Kelly, Ward 9; Myron W. Hubbard, Ward 8; Thomas Kelly, Ward 20; Harry I. Wood, Ward 25; John F. Crowley, Ward 16; Thomas R. Bowler, Ward 22; Charles H. Wait, Ward 20; William J. Moorhead, Ward 8; Merton B. Story, Ward 22; Hugh Manning, Ward 14; Charles B. Talbert, Ward 21; Henry S. Rickett, Ward 20; John F. Field, Ward 14.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, April 17, 1911.

To the City Council:

Subject to confirmation by your honorable body, I hereby appoint the following-named persons Constables of the City of Boston for the term of one year beginning with the first day of May, 1911.

Commissions of constables not named herein will expire on April 30, 1911, and such constables are hereby removed from office from and after May 1, 1911, for the good of the service.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Connected with Official Positions.

Cornelius J. Bresnahan, Timothy J, Callahan, Daniel B. Carmody, William K. Coburn, Joseph P. Dever, William G. Dolan, William L. Drohan, James F. English, John J. Franey, Jeremiah J. Gilman, James Graham, George E. Harrington, Joseph Houghton, Lawrence J. Kelly, Edward J. Leary, Frank L. Murphy, George H. Nason, James E. Norton, James O'Connor, Thomas J. O'Keefe, George N. Parker, Alvin I. Phillips.

Connected with Official Positions, and to Serve without Bonds.

Jacob Barber, John M. Casey, James F. Curran, Thomas Jordan, Edward E. Moore, John J. Sullivan.

Truant Officers.

George W. Bean, Henry M. Blackwell, James Bragdon, John S. Clark, Maurice F. Corkery, Philip Davis, Frank A. Dothage, Achille Forte, John T. Hathaway, Timothy J. Kenny, David F. Long, John McCrillis, George Murphy, William A. O'Brien, Richard F. Quirk, George A. Sargent, Amos Schaffer, William B. Shea, Warren J. Stokes, John J. Sullivan, Richard W. Walsh, John H. Westfall, Charles B. Wood.

With Massachusetts S. P. C. T. A.

Harry L. Allen, Thomas Langlan, George W. Splaine, Edward S. Van Steenbergh.

With Society of St. Vincent de Paul.

John A. Elliot.

With Children's Aid Society.

Samuel C. Lawrence, Walter M. Stone.

Not Connected with Official Positions. (To File Bonds.)

Joseph E. Allen, John F. Andrews, Charles A. Badger, Herbert F. Belt, George W. Brooker, John A. Buswell, Sherman H. Calderwood, Raffaele Camelio, William W. K. Campbell, Michael Cangiano, Waldo H. Chandler, James J. Clark, Julian Codman, Patrick J. Collins, Andrew J. Condon, William S. Cosgrove, George W. Crawford, Edward Cresswell, Eugene S. Cronin, Robert J. Dooley, George G. Drew, Francis J. Duffee, John A. Duggan, John A. Duggan, Jr., Thomas Farrell, James Fraser, Harris Freidberg, Paul R. Gast, James W. Gilmore, Alton L. Goucher, Sears H. Grant, George W. Green, Francis A. Griffin, Joseph Guttentag, George J. Hanley, Otis H. Hayes, Patrick J. Heffernan, Thomas F. Holden, Edward J. Holland, Edward L. Hopkins, Henry George Hoppe, Walter Isidor, Parker N. Jenkins, William H. Kelly, Gusteen I. Kenerson, Michael A. Kenney, George E. Kerr, Clarence H. Knowlton, Morris F. Lewenberg, Antonio Longarini, William M. Macdonald, John F. McCarthy, William McCarthy, Robert M. McClellan, Thomas E. McKenna, Anthony McNealy, Thomas A. Matthews, John Mundy, Daniel R. O'Lalor, Isaiah Paine, Jr., William I. Paine, Matthew J. Peters, Benjamin F. Powell, James E. Powers, Robert Reid, St. Clare H. Richardson, David Schapero, Henry C. Shrieves, Morris I. Silton, William L. Simmons, Huntington Smith, Thomas H. Staples, Anson Stern, Moses H. Steuer, Frank J. Sullivan, William F. Swain, William H. Swift, William H. Travers, Jeremiah A. Twomey, William C. Wall, John J. Walsh, James H. Waugh, Harry A. Webber, John F. Welch, Richard White, Frank Yennaco, Vincenzo Yennaco.

Laid over under the law.

Officials Paid by Fees, Appointed for the Year Ending April 30, 1912.

City of Boston,
Office of the Mayor, April 17, 1911.

To the City Council:

Subject to confirmation by your honorable body, I make the following appointments:

(1) The following-named persons to be Weighers of Coal for the term of one year, beginning with the first day of May, 1911:

George H. Adams, Morton Alden, William E. Allen, Richard A. Atwood, Samuel S. Atwood, George A. Bachelder, William G. Bail, Harvey C. Bailey, Fred T. Baker, Ralph C. Baker, John A. Ballan, John P. Ballou, Mrs. Sarah Batchelder, Cecil E. Baum, Louis Bazoll, Samuel Bennett, Albert E. Benson, Peter Benson, Charles E. Barry, Louis L. Berry, Frank P. Black, James W. Blakeley, Fred R. Bolster, John R. Boyd, Edwin M. Bradford, Edith G. Bradley, William M. Bragger, Edward F. Brennan, Andrew S. Brewer, Joseph O. Briggs, Algernon D. Brown, Joseph A. Browne, Nicholas A. Burkhart, Jeremiah J. Callahan, Patrick J. Callahan, John F. Callanan, Donald S. Campbell, Samuel A. Campbell, William A. Campbell, William H. Campbell, Thomas R. Cashman, Charles T. Chapin, Lindsey W. Churchill, James J. Chute, George A. Clark, Isaac E. Clark, Frederick E. Cleaves, William Coakley, Paul G. Coblenzer, Thomas Colbert, William H. Cole, Nelson B. Coll, William Connolly, Orville R. Cooper, Eliot E. Copeland, James Courtney, John A. Cousens, Patrick Coyle, Arthur R. Crooks, Arnold B. Crosby, Fred M. Crosby, Andrew W. Crowther, Arthur B. Cudworth, Edward L. Cutter, Walter H. Cutter, Mary E. Daley, Michael F. Daley, Dana P.

Dame, James B. Dana, Charles F. Davis, George C. Davis, George H. Davis, Marcus B. Derrick, Daniel F. Doherty, John J. Doherty, John A. Donaher, James Donovan, Patrick J. Donovan, Jeremiah F. Driscoll, John Driscoll, Robert A. Driscoll, H. T. Duffill, Oliver C. Elliot, John A. Emery, Jr., Thomas J. Fallon, Lorenz T. Farnum, Peter M. Farrell, James K. Farry, Frank H. Feitel, Donald J. Ferguson, Malcolm A. Ferguson, Arthur L. Fish, Edward L. Fitzgerald, Clifton E. Flagg, Joseph Flores, Danial T. Flynn, Ira W. Forsaith, Hubert Foster, Charles W. Friend, Henry A. Frost, Thomas Frost, Charles W. Furlong, Martin Gilbert, Joseph C. Ginn, George K. Gordon, Thomas A. Gordon, William W. Gordon, Albert W. Grant, Charles T. Grant, Herbert C. Gray, William J. Greene, John V. Haley, Walter S. Hall, Lawrence C. Hallin, Charles A. Hamann, Walter P. Hamblen, Everett S. Hamlin, Matthew J. Hanley, John Hannaford, Charles A. Harding, James B. Harrington, James D. Harrington, Charles B. Harris, Carl S. Hart, Joseph A. Hathaway, Frank E. Hawkins, Percy L. Hazelwood, George W. Herrick, Sidney C. Higgins, Arthur W. Hill, John P. Hines, Helen M. Hoag, George C. Hobson, Roger S. Hodges, William J. Hofman, Leroy C. Holbrook, Fletcher Houghton, Edwin E. Houston, John W. Hunter, Louis Hupprich, John Hurley, Abbe F. Hyde, Alfred Inch, Herbert E. Irving, William P. Jenkins, Hiram Jewell, William S. Jewett, W. H. Kaercher, Samuel H. Kaercher, Dennis P. Keating, William W. Kee, Bradford J. Keith, John F. Kelly, John W. Kelley, Martin E. Kenna, John F. Kiernan, John E. Kiley, Mary B. Kirley, Maurice H. Klous, Edward A. Ladd, Thomas C. Lamb, Daniel F. Lauten, Walter M. Leighton, Ernest S. Lent, F. Ernest Little, Pearl B. Lyon, Albert F. Lyons, John J. Lyons, Henry A. Madden, John J. Mahoney, William F. Mahoney, Mary F. Maloney, Charles S. Mansfield, John T. Mathews, Walter S. McAvoy, Eugene J. McCarthy, James McCarthy, Jeremiah L. McCarthy, Daniel McCarty, Neil McDonald, William M. J. McDonald, William R. McDonough, James E. McGonigle, Jr., Charles McGovern, E. J. McGovern, Nicholas McGrane, Edward S. McIlhatten, F. Baird McIlhatten, Roy C. McIntyre, Robert McKenzie, Edgar I. McKie, Edward J. McMackin, James C. McMahon, William H. McNulty, George C. Minard, Forest O. Mitchell, Richard J. Mitchell, Christian Moore, Richard J. Moore, Fred C. Morgan, John J. Morris, Robert G. Morrison, Arthur E. Morse, E. Eugene Morse, Eugene R. Morse, Charles B. Moseley, Fred L. Moses, Ralph W. Moulton, Michael R. Murphy, Dennis S. Navien, Thomas A. Navien, Ernest E. Nelson, John F. Nelson, Henry P. Nickerson, Edward W. Noel, S. J. O'Connell, Thomas J. O'Keefe, John O'Neil, William E. O'Neill, Harry L. Orr, Fred L. Ortha, Denis O'Sullivan, Frank R. Oxley, Harold D. Page, Lovell O. Perkins, Ross A. Perry, Albert Peterson, Jesse A. Phillips, Herbert W. Pike, Edward E. Piper, James T. Pond, Horace L. Porter, Joseph F. Quinton, Charles Rahinovitz, Hugh H. Ralph, Windsor W. Raymond, John Rea, Herbert F. Reinhard, Frank B. Reynolds, Lovering Reynolds, Obadiah E. Ring, Walter J. Ripley, Ellsworth G. Robbins, Henry C. Robbins, Bertram H. Rogers, Patrick J. Rogers, Stella Rooney, Harry Rosenthal, Walter S. Rowe, Dennis D. Ruddy, Martin H. Ryan, Isaac Sachs, Henry T. Sawyer, George Secor, William Seeley, John Shanahan, Patrick Shea, Eugene Sheridan, Arthur Shine, J. Irving Shultz, Margaret G. Shurety, George M. Smith, George T. Smith, Harrison L. Soule, W. A. Staples, Ray A. Stearns, Norman Q. Stewart, William E. Stewart, A. F. Stone, Charles G. Stone, Louis G. Stowers, Timothy J. Sullivan, George E. Thayer, Frederick W. Thielscher, George P. Thomas, Henry F. Thomas, Frank O. Thompson, Fred Thomson, Richard J. Timmons, Jr., Florence E. Titus, Francis J. Tobin, Frank E. Trow, John E. Trull, Theodore H. Tufts, Charles J. Verrill, Joel F. Vinal, Everett S. Vradenburgh, Alfred A. Waldron, Michael Wall, John A. Watson, George C. Webb, Augustus Wellings, Charles S. Wellington, George E. Wellington, Arthur G. Wheaton, Francis Leo C. White, B. F. C. Whitehouse, J. Clarence Whitney, John A. Whittemore, John A. Whittemore, Jr., Paul R. Wild, William Otis Wiley, Harry B. Wilson, James M. Wilson, John H. Winsloe, William C. Winsor, George T. Wood, Stuart P. Woodbury, Charles H. Woods, William J. H. Woods, John Wray, William J. Wright, Augustus E. Wyman, C. W. Hobart Wood, Charles W. York, Frederick R. Young, Joseph A. Zirchgasser.

(2) The following-named persons to he Measurers of Wood and Bark for the term of one year, beginning with the first day of May, 1911:

Morton Alden, Fred T. Baker, William G. Bail, Samuel Bennett, Louis L. Berry, James W. Blakeley, John R. Boyd, Edward F. Brennan, Joseph O. Briggs, Jeremiah J. Callahan, Patrick J. Callahan, Thomas R. Cashman, George A. Clark, Arnold B. Croshy, Edward L. Cutter, Walter H. Cutter, Charles F. Davis, James Donovan, John F. Donovan, John A. Emery, Jr., Thomas J. Fallon, Lorenz T. Farnum, James K. Farry, Frank H. Feitel, Donald J. Ferguson, Coleman F. Flaherty, Joseph Flores, Daniel T. Flynn, Joseph C. Ginn, Thomas A. Gordon, William W. Gordon, Herbert C. Gray, Walter S. Hall, Lawrence C. Hallin, Charles A. Hardy, James D. Harrington, Charles B. Harris, Frank E. Hawkins, Sidney C. Higgins, William J. Hofman, Fletcher Houghton, John W. Hunter, John Hurley, William P. Jenkins, Hiram Jewel, William S. Jewett, W Wallace Kee, John W. Kelley, John F. Kiernan, John E. Kiley, Mary B. Kirley, Thomas C. Lamh, Henry A. Madden, William F. Mahoney, Eugene J. McCarthy, William M. J. McDonald, Charles McGovern, E. J. McGovern, F. Baird McIlhatten, Edward S. McIlhatten, James C. McMahon, Forest O. Mitchell, Christian Moore, John J. Morris, Charles B. Moseley, E. Eugene Morse, Maynard F. Moseley, Fred L. Moscs, Ralph W. Moulton, Michael R. Murphy, Dennis F. Navien, Thomas A. Navien, Edward W. Noel, S. J. O'Connell, Thomas J. O'Keefe, Harry L. Orr, Alhert T. Orrall, Denis O'Sullivan, Harold D. Page, Lovell O. Perkins, Horace L. Porter, Ohadiah E. Ring, Ellsworth G. Rohbins, Stella Rooney, George Secor, William Seeley, John Shanahan, Eugene Sheridan, Arthur Shine, George M. Smith, William E. Stewart, Charles G. Stone, Timothy J. Sullivan, George E. Thayer, Frank O. Thompson, Frank E. Trow, Charles J. Verrill, Everett S. Vradenburgh, Michael Wall, Alfred A. Waldron, B. F. C. Whitehouse, J. Clarence Whitney, John A. Whittemore, Temple A. Winsloe, Harry B. Wilson, John H. Winsloe, George T. Wood, Stuart P. Woodbury, Charles H. Woods, William J. H. Woods.

(3) The following-named persons to be Measurers of Grain for thc term of one year heginning with the first day of May, 1911:

Charles E. Avery, Fred T. Baker, John J. Barnes, Samuel Bennett, Louis L. Berry, James W. Blakeley, John R. Boyd, Lawrence A. Bragan, Edward F. Brennan, Joseph O. Briggs, Patrick J. Callahan, Edward Carstensen, Thomas R. Cashman, George A. Clark, Michael Collins, Eliot E. Copeland, Charles F. Davis, James Donovan, Alton F. Dow, Patrick R. Dunn, George R. Edwards, James K. Farry, Frank H. Feitel, Lorenz T. Farnum, Michael Finn, Daniel T. Flynn, Thomas H. Gordon, William W. Gordon, Walter S. Hall, Lawrence C. Hallin, John A. Hanly, James D. Harrington, Charles B. Harris, Frank E. Hawkins, Benjamin Hay, Joseph G. Herrick, John Hurley, August Israelson, William S. Jewett, George W. Keith, Thomas J. Kelly, John W. Kelley, John E. Kiley, Thomas C. Lamb, Fred Leonard, Thomas B. Lombard, Henry A. Madden, William F. Mahoney, Eugene J. McCarthy, William M. J. McDonald, Timothy J. McLaughlin, William T. McLaughlin, James C. McMahon, Forest O. Mitchell, Christian Moore, Edward W. Noel, Thomas J. O'Keefe, Harry L. Orr, Denis O'Sullivan, Harold D. Page, Leslie A. Pike, Herbert F. Reinhard, Obadiah E. Ring, George Secor, William Seeley, John Shanahan, Eugene Sheridan, Alfred J. Sidwell, George M. Smith, William E. Stewart, Timothy J. Sullivan, George E. Thayer, John J. Thompson, Charles J. Verrill, Everett S. Vradenburgh, Alfred A. Waldron, Michael Wall, Thomas F. White, Harry B. Wilson, Charles H. Woods, Frederick P. Wood.

(4) The following-named persons to be Inspectors of Pressed or Bundled Hay and Straw for the term of one year, beginning with the first day of May, 1911:

Morton Alden, Charles E. Avery, Fred T. Baker, James W. Blakeley, John R. Boyd, Edward F. Brennan, Joseph O. Briggs, George A. Clark, William Connolly, James P. Conroy, Patrick R. Dunn, George R. Edwards, Frank H. Feitel, Ira W. Forsaith, Charles W. Furlong, James H. Gilmore, Thomas A. Gorman, John A. Hanly. Frank E. Hawkins, Alpheus R. Henderson, John W. Kelley, Thomas C. Lamb, Samuel Lomhard, Jr., Fred Leonard, William Lincoln, Eugene J. McCarthy, Timothy J. McLaughlin, William T. McLaughlin, James C. McMahon, Christian

Moore, Richard J. Moore, Edward W. Noel, Denis O'Sullivan, Leslie A. Pike, Herbert F. Reinhard, Ellsworth G. Robbins, John Shanahan, George M. Smith, Charles J. Verrill, Alfred A. Waldron, Michael Wall, Willard P. Whittemore, Harry B. Wilson, John Wray, Andrew N. Wyeth, Jr.

(5) The following-named persons to be Weighers of Boilers and Heavy Machinery for the term of one year, beginning with the first day of May, 1911:

Fred T. Baker, John A. Balam, Cecil E. Baum, Anton S. Beckert, Samuel Bennett, Louis L. Berry, James W. Blakeley, John R. Boyd, Edward F. Brennan, Joseph O. Briggs, Patrick J. Callahan, Thomas R. Cashman, Frank T. Chase, George A. Clark, James Courtney, Patrick D. Currie, Charles F. Davis, James T. Donahue, James Donovan, Jeremiah F. Driscoll, Lorenz T. Farnum, James K. Ferry, Frank H. Feitel, Daniel T. Flynn, Thomas Frost, Charles W. Furlong, John E. Gillen, Thomas H. Gordon, William W. Gordon, Thomas A. Gorman, Edwin D. Gurney, Walter S. Hall, Lawrence C. Hallin, James D. Harrington, Charles B. Harris, Frank E. Hawkins, Frank S. Hicks, John Hurley, Alfred Inch, Thomas F. Jenkins, William S. Jewett, John W. Kelley, John E. Kiley, Thomas C. Lamb, Ernest S. Lent, Henry A. Madden, David A. Mahoney, William F. Mahoney, Eugene J. McCarthy, Daniel McCarty, William M. J. McDonald, James E. McGonigle, Jr., James C. McMahon, Forest O. Mitchell, Christian Moore, Edward W. Noel, Thomas J. O'Keefe, Harry L. Orr, Denis O'Sullivan, Harold D. Page, Charles W. Perry, Obadiah E. Ring, Walter J. Ripley, Ellsworth G. Robbins, S. Walter Rowe, Henry T. Sawyer, George Secor, William Seeley, John Shanahan, Eugene Sheridan, George M. Smith, William E. Stewart, Timothy J. Sullivan, George E. Thayer, Richard J. Timmons, Jr., Charles J. Verrill, Everett S. Vradenburgh, Alfred A. Waldron, Michael Wall, Charles H. Walters, Harry B. Wilson, Charles H. Wood.

(6) The following-named persons to be Weighers of Beef for the term of one year, beginning with the first day of May, 1911:

Ernest R. Anderson, Fred T. Baker, Samuel Bennett, Louis L. Berry, James W. Blakeley, John R. Boyd, Edward F. Brennan, Joseph O. Briggs, Patrick J. Callahan, Thomas R. Cashman, Lindsey W. Churchill, George A. Clark, James P. Conroy, Charles F. Davis, James Donovan, Clarence O. Dustin, Lorenzo T. Farnum, James K. Farry, Frank H. Feitel, Daniel T. Flynn, Patrick P. Ford, Ira W. Forsaith, Alfred H. Goodwin, Thomas H. Gordon, William W. Gordon, William B. Gutterson, Walter S. Hall, Lawrence C. Hallin, Charles Warren Hapgood, James D. Harrington, Charles B. Harris, Frank E. Hawkins, James F. Hayes, John Hurley, William S. Jewett, John W. Kelley, John E. Kiley, Thomas C. Lamb, Henry A. Madden, William F. Mahoney, Eugene J. McCarthy, James C. McMahon, Forest O. Mitchell, Christian Moore, Edward W. Noel, Thomas J. O'Keefe, Dennis O'Sullivan, Harry L. Orr, Harold D. Page, Robert S. Paine, Jr., Obadiah E. Ring, Ellsworth G. Robbins, George Secor, William Seeley, John Shanahan, Eugene Sheridan, George M. Smith, William E. Stewart, Henry Stockley, Timothy J. Sullivan, George E. Thayer, Fred W. Towle, Charles J. Verrill, Everett S. Vradenburgh, Joseph B. C. Wakeley, Alfred A. Waldron, Michael Wall, George W. Whitney, Harry B. Wilson, Charles H. Woods, Benjamin W. Wright.

(7) James H. Cleaves, Jacob Hauck, Orrin E. Hodsdon and William Park, to be Inspectors of Petroleum for the term of one year, beginning with the first day of May, 1911.

(8) Sewall B. Farnsworth, Edward H. Mahoney, Edward R. Maxwell, William S. Saunders, to be Measurers of Upper Leather for the term of one year, beginning with the first day of May, 1911.

(9) Cecil E. Baum, Patrick Shea, to be Gaugers of Liquid Measures for the term of one year, beginning with the first day of May, 1911.

(10) Herbert C. Davis, to be Superintendent of the North Hay Scales; Neil McInnis, to be Superintendent of the Roxbury Hay Scales; Daniel P. Walker, to be Superintendent of the South Hay Scales, each for the term of one year, beginning with the first day of May, 1911.

(11) Cornelius J. Donovan, to be Weigher of Vessels and Ballast for the term of one year, beginning with the first day of May, 1911.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Laid over under the law.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Edward Brown, for a hearing on his claim on account of injuries to his daughter.

John J. Kenney, to be paid for damage to clothing by a garbage receptacle on Tremont street in front of the Granary Burying Ground.

Eastern Flour Company, for compensation for damage to team while crossing the East Boston Ferry.

Arioch W. Erickson, for compensation for damage to drain 12 Marshall street, by stoppage of the sewer.

George L. Ellsworth, to be paid for services in examination of title to estate 262 Bowen street, South Boston, necessitated by an alleged error of the City Collector in 1908.

Peter McIntyre, to be paid for hens killed by dogs.

Margaret E. Daly, for compensation for injuries caused by a fall on Blue Hill avenue, near Julian street.

Executive Committee.

Petitions for children under fifteen years of age to appear at public places of amusement, as follows:

Abigail A. Furman, at Lincoln House, April 28; J. Jefferson Richards, at Jordan Hall, on the evening of May 5; Mabel J. Golden, at Huntington Chambers Hall, on the evening of May 26; Mabel J. Golden, at Meridian Hall, on the evening of June 2; Mrs. William H. Marden, Jr., at Mishawum Hall, on the evening of June 7; Carolyn Foye Flanders, at Steinert Hall, on the evening of May 25.

Petitions for sidewalks, viz.:

M. S. Cohen, 15–19 Cross street, and 46 Endicott street, Ward 6.

Benjamin Levine, 39 Hemenway street, Ward 10.

Coleman & Gilbert, 165–171 Hemenway street, Ward 10.

George Murphy, 70 Bowdoin street, Ward 20.

C. F. Brown, 12 Charles street, Ward 20.

O. L. Beverage, 25 Nixon street, Ward 20.

Annie V. Baker, 12 Rill street, Ward 24.

W. B. Doggett, 11 Beale street, Ward 24.

Catherine B. Quigley, 13 Beale street, Ward 24.

Adaline L. Lincoln, 719 Walk Hill street, and 1379–1385 Blue Hill avenue, Ward 24.

POWER OF CITY COUNCIL TO INVESTIGATE.

The following was received:

Law Department,
Boston, April 15, 1911.

To the Honorable the City Council,
City Hall, Boston:

Gentlemen,— There have been referred to me two orders offered by members of the City Council, one providing for an investigation of the bids submitted for the reconstruction of the wardroom in Ward 8, and one providing for an investigation of the Building Department, both investigations to be made by committees of three members of the City Council. I am requested by your honorable body to give my opinion as to the power of the City Council to make such investigations.

In my opinion the City Council has no authority to make such investigations. By chapter 486 of the Acts of 1909 the duty of making such investigations has been taken away from the City Council and given to the Finance Commission by sections 18, 19 and 20 of said chapter. The investigating powers of the City Council under the charter amendments are those given to it by section 7 of the charter amendments. Any action taken under that section must be by the City Council and not by a committee thereof.

Yours respectfully,
THOMAS M. BABSON,
Corporation Counsel.

Placed on file.

STORAGE OF GASOLENE.

A communication was received from the Park Square Motor Mart Garage that the building on Tennyson street side of Park square, Ward 7, has

been lawfully used for the keeping and sale of gasolene, and of intention to use same for the ensuing year.
Placed on file.

TAKING OF LAND.

Notice was received from the Boston Elevated Railway Company that, acting under authority of chapter 497 of the Acts of 1907, it had taken about 1,586 square feet of land from the Charlestown Playground.
Placed on file.

NOTICE OF APPOINTMENT.

Notice of the appointment of Franklin P. Daly as Overseer of the Poor was received, a eertified copy of the same having been delivered to the Civil Service Commission on April 17.
Plaeed on file.

APPROVAL OF APPOINTMENTS.

Notiee was received from the Civil Service Commission of approval of appointments of James W. Dunphy and Max E. Wyzanski to be Sinking Fund Commissioners.
Placed on file.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up unfinished business, No. 1, viz.:
1. Aetion on appointment submitted by the Mayor April 10, of Anthony McNeelan, to be a Constable of the City of Boston, for the term ending April 30, 1911.
The question came on confirmation. Committee —Coun. Buckley and McDonald. Wbole number of ballots cast 7, yeas 7, and the appointment was confirmed.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' lieenses of twenty-five newsboys, four bootblacks and six vendors—recommending that permits be granted.
Reports aeeepted; permits granted on the usual conditions.

LIBRARY ACCOMMODATIONS, SOUTH COVE.

Coun. ATTRIDGE presented the petition of the South Cove Improvement Association, asking for a hearing in relation to the need of library accommodations in the South Cove distriet.
Referred to the Committee on Branch Libraries.

COST OF SHAWMUT AVENUE LIBRARY.

Coun. ATTRIDGE offered an order—That the Library Trustees be requested, through his Honor the Mayor, to furnish to the City Couneil, at their earliest convenience, information as to the yearly rental of the Shawmut Avenue Branch Public Library, the number of years for whieh it is leased, the number of years it has been oceupied, the time when the leasc expires, the assessed value of the land and building and the amount of money for whieh the property could be purchased.
Passed.

ACCEPTANCE OF HARVARD AVENUE.

President COLLINS offered an order—That tbe Board of Street Commissioners be requested to aeeept and lay out as a publie highway Harvard avenue, Ward 20.
Passed.

PAVING IN FRONT OF PILGRIM CHURCH.

Coun. BALLANTYNE presented the petition of the Pilgrim Congregational Chureh for wooden paving in front of said church on Columbia road.
In conneetion with the petition Coun. BALLANTYNE offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to pave with wooden blocks the highway on Columbia road, Dorehester, in front of the Pilgrim Congregational Church, from Rocky Hill avenue to Davenport avenue.
Passed.

OPERATION OF PUBLIC GARDEN BOATS.

Coun. SMITH offered an order—That his Honor the Mayor be requested to instruet the Superintendent of Publie Grounds to purchase and operate at cost swan boats and rowboats on the Public Gardens.
Coun. SMITH—Mr. President, the history of this right to operate swan boats and rowboats in the Publie Garden is that the Mayor in his first term let this right out. Before that it was given for nothing. Sinee then the right has been raised in price, so that to-day $300 is charged each year for the right to operate these boats on the Public Garden. I take it that the poliey of our public parks is to have them free for the use of the people of the eity. It is not here as it is in Europe, where the various rights or privileges in the parks are charged for. For instanee, in the European countries they charge for the right to use the settees. Of course that would be unheard of here. My idea in this order is that we shall run this department of tbe Publie Garden at cost—that is, that we shall not make any money from it. As it is to-day we are making $300, and the man who buys the privilege is presumably making a like amount, or perhaps more, so that the city is really charging those who use the boats $500 or $600, unnecessarily. Those boats are used mostly by ehildren from the West and North Ends, Wards 6, 7 and 8, and any deerease in the price of that privilege would be very mueh appreeiated by the ehildren. Last year his Honor granted the right to use the ferryboats free for a certain length of time, and that privilege would be no more greatly appreeiated than would a similar privilege on the Public Garden. It is customary for the school teachers in the downtown congested distriets to oftentimes take their elasses to the Public Garden and give them boat rides; and if the teacbers, at their own expense, give their pupils rides on the swan boats it strikes me that the eity should be willing to give this serviee to the public at cost—not free, but at cost. For this reason I hope that the order will pass.
The order was referred, on motion of Coun. BALLANTYNE, to the Executive Committee.

WORK ON CITY HALL ANNEX.

Coun. KENNY—Mr. President, I desire to rise to a question of personal privilege in conneetion with the action of the Council on Monday last in appropriating $800,000 for the construetion of the City Hall annex. It appears that, notwithstanding the resolutions of the Council whieh were passed on Monday last to the effect that the Mayor invite competitive bids for the preparation of the arehitect's plans and specifications, eontrary action has been taken by the Mayor's offiee. The Council on Monday last passed the following resolution:
"Resolved, In the opinion of the City Council the interests of the eity require that in the preparation of plans and specifications for the construction of the annex to City Hall that public competition be invited."
I am informed througb the Press—and I think all the members have had it ealled to their attention—that tbe Mayor has seen fit to disregard that resolution and has already bestowed the work upon an arehitect. I offer no criticism of the architect, the gentleman wbo has received the employment, but I do as a member of this Council desire to protest against the Mayor's action in the matter. It was not in accordance with the usual and ordinary methods of a business eoncern or a business corporation. Tbe municipality is a corporation which should do business in accordance witb the best methods prevailing among private concerns. The spirit and intent of the law whieh calls for competitive bids on all contracts above $2,000, on transactions where tbe City of Boston is a party, it seems to me has been disregarded. No business man would think of applying sueh methods in his private affairs, and I regret, as a member of the Council, to see that the Mayor has failed, in setting aside the resolution of the City Council, to live up

to the best methods of business life and to the standard of business administration which ought to guide executive action in a municipality.

RECESS.

The Council voted at 3.33 p. m., on motion of Coun. McDONALD, to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by President COLLINS at 5.09 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Reports on petitions (severally referred to-day) for children under fifteen years of age to appear at public places of amusement, that permits be granted, viz.:

Abigail A. Furman, at Lincoln House, April 28.

J. Jefferson Richards, at Jordan Hall, on the evening of May 5.

Mabel J. Golden, at Huntington Chambers Hall, on the evening of May 26.

Mabel J. Golden, at Meridian Hall, on the evening of June 2.

Mrs. William H. Marden, Jr., at Mishawum Hall, on the evening of June 7.

Carolyn Foye Flanders, at Steinert Hall, on the evening of May 25.

Reports severally accepted; permits granted on the usual conditions.

(2) Reports on petitions (severally referred to-day) for sidewalks—recommending the passage of orders that the Commissioner of Public Works make sidewalks along the following-named streets, in front of the hereinafter named estates; said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestone, the owner to furnish said material, viz.:

M. S. Cohen, 15–19 Cross street and 46 Endicott street, Ward 6.

Benjamin Levine, 39 Hemenway street, Ward 10.

Coleman & Gilbert, 165–171 Hemenway street, Ward 10.

George Murphy, 70 Bowdoin street, Ward 20.

C. F. Brown, 12 Charles street, Ward 20.

O. L. Beverage, 25 Nixon street, Ward 20.

Annie V. Baker, 12 Rill street, Ward 20.

W. B. Doggett, 11 Beale street, Ward 24.

Catherine B. Quigley, 13 Beale street, Ward 24.

Adaline L. Lincoln, 719 Walk Hill street and 1379–1385 Blue Hill avenue, Ward 24.

Reports severally accepted; orders passed.

CONTINUANCE OF FENWAY POST OFFICE.

Coun. ATTRIDGE offered the following:

Resolved, That it is the opinion of the City Council of Boston that the Fenway Postal Station should be continued, as its discontinuance would injure the present and future interests of the district.

Ordered, That a copy of this resolve be sent to the postmaster of Boston.

Coun. ATTRIDGE—Mr. Chairman, I have no desire to take up much of the time of the Council, but it seems to me that the Post Office Department has inaugurated a policy which may be injurious to the business interests of this city. Probably with a view to retrenchment, under an order of the Postmaster General, a notice has been sent out that the Fenway Station Post Office here in Boston shall be discontinued on August 1, I believe. The business men of that particular district believe that the discontinuance of that post office will in a way affect business. I understand that many of them settled and located in that particular district because of the fact that the post office was established there as an inducement to do so. That particular section of the city is a growing district. We have seen the large trust companies establish offices there; we have seen the Rhodes Brothers Corporation establish one of its chain of stores there; and there are many business establishments in that district which will be served by such a post office branch as the Fenway Station. I believe its discontinuance will injure business, and I trust that the resolutions will pass and that a copy will be sent to the Postmaster of the city.

The resolution and order were passed.

SIDEWALK ORDER.

Coun. COLLINS offered an order—That the Commissioner of Public Works make a sidewalk along No. 2 Hewins street, at the corner of Columbia road, Ward 20, in front of the estate of Charlotta A. Powell, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

CONSTRUCTION OF SEWERAGE WORKS.

Coun. KENNY, for the Committee on Finance, submitted a report on sewerage and order (referred March 13) appropriating $300,000 for construction of sewerage works—recommending passage in following new draft, viz.:

Ordered, That the sum of two hundred and fifty thousand dollars ($250,000) be appropriated for the construction of sewerage works, under the provisions of chapter 426 of the Acts of 1897, and chapter 204 of the Acts of 1908, and that to meet the said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds of the city to said amount.

Coun. SMITH—Mr. President, while I am going to vote for this order, it is on the understanding that we are not taking any attitude as to permanent improvements which can be authorized under loans, but that we are simply putting that question over for discussion and decision for some future time. I have personal opinions on that matter, and I simply abrogate them at this time without deciding the matter at all.

The report was accepted, and the order was given its first reading and passage, yeas 7, nays 0, the question of final reading and passage going over for fourteen days.

ACCEPTANCE OF ACT.

Coun. HALE offered an order—That chapter 252, Acts of 1911, entitled "An Act Relative to Mortuaries in the County of Suffolk" is hereby accepted by the City Council of Boston.

Passed.

GENERAL RECONSIDERATION.

On motion of Coun. BALLANTYNE the Board refused a general reconsideration of all action taken to-day.

Adjourned, on motion of Coun. HALE, at 5.14 p. m., to meet on Monday, April 24, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 24, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair. Absent—Coun. Hale.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of chapter 514 of the Acts of 1894 (the Mayor being absent), viz.:

Thirty-five traverse jurors, Superior Civil Court, First Session, April Sitting, to appear May 15, 1911:

John R. Murphy, Ward 19; John F. Corcoran, Ward 8; Charles H. Noone, Ward 20; Peter J. Donohoe, Ward 24; James A. Dupee, Ward 16; Philip L. Anderson, Ward 1; William Flannery, Ward 19; Charles J. Quigley, Ward 5; Edward T. Gallagher, Ward 24; Thomas W. O'Connor, Ward 8; Charles Ruhl, Ward 1; Henry C. Streck, Ward 14; Frank E. Brigham, Ward 23; Albert G. Boles, Ward 9; Herbert B. Dexter, Ward 5; Frank H. Bennett, Ward 5; William T. Rooney, Ward 4; William M. Sullivan, Ward 25; William J. Killian, Ward 17; Colin S. Broussard, Ward 2; Andrew J. Legg, Ward 21; Mark T. Dowling, Ward 11; Albert L. Waterman, Ward 24; Edward J. Coughlin, Ward 3; William F. Healy, Ward 16; Charles F. Cutcliffe, Ward 1; David McBride, Ward 15; Willis E. Penny, Ward 24; Thomas F. Edge, Ward 10; Charles F. Feeny, Ward 21; Joseph C. Viles, Ward 13; Frank E. Schumann, Ward 17; Lawrence S. Bearse, Ward 17; Charles W. Warner, Ward 20; Arthur T. Clark, Ward 11.

Thirty-five traverse jurors, Superior Civil Court, Second Session, April Sitting, to appear May 15, 1911:

John J. Flynn, Ward 22; George Henderson, Ward 24; Arthur F. Cotter, Ward 21; Frank S. Story, Ward 20; James J. Ryan, Ward 8; John D. Long, Ward 21; John C. Clapp, Jr., Ward 20; Markel Meltzer, Ward 3; John C. Newborg, Ward 24; George S. Moynahan, Ward 20; John J. Conway, Ward 3; Henry C. Kingman, Ward 20; Bernard J. Rothwell, Ward 16; William C. McDermott, Ward 15; Herbert R. Starratt, Ward 12; Bartholomew O'Connor, Ward 7; Oscar L. Hanley, Ward 4; Frank W. Emery, Ward 5; William J. Kilduff, Ward 6; Seamon Wilbur, Ward 23; Frank O. Richmond, Ward 14; Louis Solomon, Ward 12; John Hohmann, Ward 15; Henry E. Woodworth, Ward 20; Eben H. Snow, Ward 20; John M. Lynch, Ward 19; Frank M. Williams, Ward 21; Albert E. Bullard, Ward 22; Frank Evans, Ward 1; Martin H. Cotter, Ward 20; Charles E. Baldwin, Ward 25; James T. Young, Ward 20; William H. Pearson, Ward 24; Frank Fahy, Ward 15; Sanford M. Downing, Ward 2.

Thirty-five traverse jurors, Superior Civil Court, Third Session, April Sitting, to appear May 15, 1911:

Henry P. Wennerberg, Ward 22; William H. Daly, Ward 13; Cornelius W. Madden, Ward 20; Lawrence Farley, Ward 19; Willard S. Clary, Ward 23; William B. Lewis, Ward 20; Thomas Allen, Ward 11; William H. Young, Ward 23; S. George Hill, Ward 22; Samuel Boutilier, Ward 21; Benjamin J. Wall, Ward 23; John V. Neary, Ward 12; William C. Beckett, Ward 23; William Neilson, Ward 24; Frank L. Bartlett, Ward 10; James H. Humphreys, Ward 16; Patrick J. Moley, Ward 25; Ephraim W. Chapman, Ward 25; Charles F. Bond, Ward 15; Timothy J. Hartnett, Ward 22; Bryan Moylan, Ward 24; Michael J. Murphy, Ward 17; George F. Buckley, Ward 25; Burten I. West, Ward 21; Mark A. Brown, Ward 15; John H. Mara, Jr., Ward 24; John R. Lambert, Ward 22; John J. Coogan, Ward 14; Barnet Grass, Ward 21; Michael T. Murphy, Ward 2; James M. Cross, Ward 20; Chesley H. Bailey, Ward 9; Louis C. Jordan, Ward 20; Mark T. Wendell, Ward 22; Frank C. Miller, Ward 18.

Thirty-five traverse jurors, Superior Civil Court, Fourth Session, April Sitting, to appear May 15, 1911:

Thomas H. Butler, Ward 22; George F. Mardon, Jr., Ward 20; James H. Hickey, Ward 15; Harrison E. Grant, Ward 25; Bernard N. McArdle, Ward 4; John P. Sullivan, Ward 17; George W. Mooney, Ward 20; Harry F. Crosby, Ward 5; William A. Morse, Ward 14; William C. Mills, Ward 25; Abraham Bamber, Ward 25; John Hofmann, Ward 22; Michael J. Tobin, Ward 12; William H. Grimshaw, Ward 10; Charles H. Johnston, Ward 23; Joseph M. Landrey, Ward 23; Paul H. Lehmann, Ward 17; Daniel J. McMullen, Ward 1; William C. De Leire, Ward 3; James F. Lucey, Ward 14; Samuel O. Ochs, Ward 11; James T. Neill, Ward 17; James T. Caffrey, Ward 4; Gustave M. Menn, Ward 19; Andrew P. Atkinson, Ward 12; Harry W. Gilman, Ward 23; William F. Bryan, Ward 20; Lars J. Sandberg, Ward 20; Charles H. Dearborn, Ward 6; Lawrence Ford, Ward 3; Charles H. Gage, Ward 23; Quincy A. Lothrop, Ward 24; Hugh McDermott, Ward 10; Albert Horton, Ward 20; George D. McDonald, Ward 24.

Thirty-five traverse jurors, Superior Civil Court, Fifth Session, April Sitting, to appear May 15, 1911:

James Gough, Ward 9; Eugene W. Manchester, Ward 11; Jeremiah R. Mullen, Ward 5; Arthur H. Kemp, Ward 25; Carl H. Tornwall, Ward 21; Everett N. Dodge, Ward 4; John J. Fitzgerald, Ward 14; Harold F. Frost, Ward 21; Charles R. Hull, Ward 22; George H. Crawford, Ward 20; John F. Hargedon, Ward 13; Alfred H. Copithorn, Ward 3; Cornelius J. Bowen, Ward 13; John A. Kerr, Ward 14; William Lindquist, Ward 16; George H. Atwell, Ward 16; James F. Carey, Ward 24; Joseph H. Frye, Ward 25; Frank N. Reed, Ward 15; James Kearney, Ward 14; John Hurley, Ward 5; Albert W. Salles, Ward 24; Alton G. Mahurin, Ward 23; Isaac R. Thomas. Ward 11; Charles L. Pennell, Ward 21; Walter C. Carter, Ward 20; William Dexter, Ward 20; Thomas S. Woods, Ward 11; Edwin T. Witherby, Ward 19; William H. Fanning, Ward 16; Horatio A. Smith, Ward 10; Emil O. Bauer, Ward 22; John P. Dennis, Ward 9; Andrew J. Johnson, Ward 20; George Lang, Ward 22.

Thirty-five traverse jurors, Superior Civil Court, Sixth Session, April Sitting, to appear May 15, 1911:

Patrick Sullivan, Ward 14; William H. Boyle, Ward 15; John Baert, Ward 14; George J. Murdock, Ward 5; Francis J. Smith, Ward 1; Joseph McHenry, Ward 12; Nicholas Hagan, Ward 12; George G. Williams, Ward 11; George H. Parsons, Ward 15; Walter H. Balch, Ward 20; Arthur W. Thompson, Ward 12; Paul L. Benz, Ward 12; Isaac L. Wright, Ward 10; John H. Forde, Ward 21; John Hagerty, Ward 19; John H. Doherty, Ward 1; Richard S. Paine, Ward 20; Hovey Rand, Ward 1; John Leverone, Ward 6; Diedrich H. Mann, Ward 1; Franklin E. Low, Ward 21; Allen C. Humphrey, Ward 20; James Forbes, Ward 23; Robert H. Stevenson, Jr., Ward 11; Henry Wagner, Ward 23; Barnet Vitkin, Ward 23; William E. Cannon, Ward 12; Alvin H. Emery, Ward 10; Manuel J. Ferry, Ward 11; Oscar A. Thayer, Ward 23; Warren D. Jones, Ward 20; John McCormack, Ward 1; William H. Dalton, Ward 14; Daniel Kelly, Ward 11; Frank Hill, Ward 20.

Thirty-five traverse jurors, Superior Civil Court, Seventh Session, April Sitting, to appear May 15, 1911:

Horace E. Ford, Ward 23; Frank W. Low, Ward 10; John Henry Kenney, Ward 16; Fred O. Wheeler, Ward 11; James J. Clark, Ward 9; Daniel A. Doherty, Ward 5; William F. Morse, Ward 19; Michael H. Dugan, Ward 13; James A. Hammond, Ward 1; Thomas F. Anderson, Ward 20; William J. Finn, Ward 21; James Cook, Ward 3; James H. Mulrey, Ward 23; Daniel Scanlan, Ward 4; Antonio Canevaro, Ward 1; Frank McNamara, Ward 25; Carl F. Fischer, Ward 20; Herbert Carr, Ward 25; James J. McGrath, Ward 13; James E. Foster, Ward 25; Sidney W. Burgess, Ward 11; James F. Cahill, Ward 16;

Thomas H. Daly, Ward 7; Carl G. Osteman, Ward 20; John M. Greene, Ward 5; William O. Blake, Ward 11; Nathan R. Flynn, Ward 17; John T. Trefry, Ward 2; Peter Geden, Ward 15; John F. Gerraghty, Ward 17; Edwell F. Pratt, Ward 14; John F. Collins, Ward 20; Frank J. Horan, Ward 23; Edward M. Freeman, Ward 18; Olof Wallin, Ward 24.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the Mayor submitted the following appointments:

(1) Alexander J. Douglas (37 School street, Ward 3) and Charles F. Hale (46 King street, Ward 24), Constables of the City of Boston for the term of one year, beginning with the first day of May, 1911.

(2) Frank B. Skelton (13 Ashfield street, Ward 23), a Constable of the City of Boston for the term of one year, beginning with the first day of May, 1911.

(3) George A. Hagerty (135 Paul Gore street, Ward 22), a Constable of the City of Boston for the term of one year, beginning with the first day of May, 1911.

(4) George B. Sullivan (91 Marshall street, Winthrop), a Weigher of Coal for the term of one year, beginning with the first day of May, 1911.

(5) Josiah M. Rankin (16 Cleaves street, Ward 22), a Weigher of Coal, a Measurer of Wood and Bark, a Measurer of Grain, a Weigher of Boilers and Heavy Machinery and a Weigher of Beef, for the term of one year, beginning with the first day of May, 1911.

Severally laid over under the law.

RENTAL OF BRANCH LIBRARY, ETC.

The following was received:

City of Boston,
Office of the Mayor, April 24, 1911.

To the City Council:

I beg to transmit herewith a statement from the trustees of the Public Library, in response to an order passed by your honorable body at its meeting of April 17, to the effect that "the Library Trustees be requested, through his Honor the Mayor, to furnish to the City Council, at their earliest convenience, information as to the yearly rental of the Shawmut Avenue Branch Public Library, the number of years for which it is leased, the number of years it has been occupied, the time when the lease expires, the assessed value of the land and building and the amount of money for which the property could be purchased."

Respectfully,
JOHN F. FITZGERALD, Mayor.

The Public Library
of the City of Boston,
April 21, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

Sir,—In response to the request of the City Council, contained in an order passed April 17, 1911, the trustees of the Public Library transmit through you the following information relating to the premises on Shawmut avenue occupied by the South End Branch of the Public Library.

The premises were leased under date of June 27, 1904, the lease to run for the term of ten years from August 1, 1904. The premises have therefore been occupied six years and eight months to April 1 of the present year, and the lease will expire July 31, 1914.

The rent is $2,500 annually, in addition to "all annual assessments" that may be made by the city upon the property. The annual assessments for the year 1910 amounted to $492 for taxes and $21 for water rates, making the total rental for that year $3,013. The lease contains an option permitting the city to purchase the property at any time before the lease expires for the sum of $40,000, upon giving thirty days' notice to the owners. The assessed value of the land and building is $30,000.

We have no knowledge as to the amount of money for which the property can be purchased other than as above stated.

Respectfully,
The Trustees of the Public Library
of the City of Boston,
by J. H. BENTON, President.

Referred to Committee on Branch Libraries.

EXTENSION OF PLAYGROUND SYSTEM.

The following was received:

City of Boston,
Office of the Mayor, April 24, 1911.

To the City Council:

I have been impressed with the great opportunity which Boston now has to improve and extend its playground system. The wiser policy, in my judgment, is not to wait until the congestion in a certain neighborhood has become intolerable, and the sight of swarms of children playing in the street constitutes a reproach to the city authorities, but to anticipate future needs by the timely purchase of suitable lots when these can be obtained at a low cost. In many sections of the city open spaces can now be purchased at reasonable prices which in a few years will be built upon and practically withdrawn from the market.

I know of no subject more worthy of your attention than this and would earnestly recommend that your Committee on Playgrounds investigate conditions, which vary widely in different parts of the city, and compile a statement of playground needs, with a list of available sites. Appropriations could then be made and the city could take possession of the desired estates. In this manner not only would a considerable pecuniary saving be effected but the city would have committed itself to a liberal policy in a field which has been somewhat neglected hitherto.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Referred to the Executive Committee.

RELEASE OF RESTRICTIONS.

The following was received:

City of Boston,
Office of the Mayor, April 24, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order, authorizing me to execute an instrument in proper legal form whereby the city shall release the conditions, easements and restrictions now remaining in force, excepting certain rights in party walls from certain lots on Providence street, described in the order. Accompanying this draft of the order is a petition from Charles S. Rackemann, Esq., requesting this release.

On the north side of Providence street there exists a 5-foot set-back, which can be built upon or used by any of the abutting owners without a release from the city. The Street Commissioners are now at work on the proposed widening of Providence street from Park square to the Arlington street extension, and the owners are willing to release the city from any claim for damages on account of the rebuilding and widening of Providence street if the city should release to them this 5-foot set-back, and also remit any betterment assessments on account of the improvements. It is for this purpose that I have drafted the accompanying order. As it must be publicly advertised for two weeks it seems to me desirable that it should be passed immediately by your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

To the Honorable the City Council of the City of Boston:

Your petitioners, Charles S. Rackemann, trustee under the will of Freeman Allen, and Henry F. Allen, respectfully represent that the best interests of said city require that the conditions, easements and restrictions now remaining in force (excepting, however, right in party walls) being the conditions, easements and restrictions imposed by said city conveying certain lots on Providence street therein by deeds recorded with Suffolk Deeds as follows:

Book 512, pages 121 to 126, inclusive; Book 525, page 286; Book 526, page 235; Book 530, page 161; Book 541, page 138; Book 547, page 218; Book 555, page 234; Book 560, page 168; Book 569, page 105; Book 578, page 16; Book 579, page 73; Book 588, page 293; Book 594, page 125; Book 596, page 132; Book 597, page 53; Book 602, page 16, Book 605, page 58; Book 607, page 45; Book 647, page 36; Book 703, pages 177 to 180, inclusive; Book 710, page 79; Book 762, page 67, should be removed, discharged and forever extinguished.

CHARLES S. RACKEMANN, Trustee.
HENRY F. ALLEN,
by CHARLES S. RACKEMANN,
Attorney.

April 24, 1911.

Ordered, That his Honor the Mayor be and he is hereby authorized in the name and behalf of the city to execute an instrument satisfactory to the Law Department, whereby the city shall so far as it may lawfully do so without affecting the legal or equitable rights of other persons, release the conditions, easements and restrictions now remaining in force, excepting, however, rights in party walls, from certain lots on Providence street he heretofore conveyed by the city hy deeds recorded with Suffolk Deeds as follows:

Book 512, pages 121 to 126, inclusive; Book 525, page 286; Book 536, page 235; Book 530, page 161; Book 541, page 138; Book 547, page 218, Book 555, page 234; Book 560, page 168; Book 569, page 105; Book 578, page 16; Book 579, page 73; Book 588, page 293; Book 594, page 125; Book 596, page 132; Book 597, page 53; Book 602, page 16; Book 605, page 58; Book 607, page 45; Book 647, page 36; Book 703, pages 177 to 180, inclusive; Book 710, page 79; Book 762, page 67.

Referred to Committee on Puhlic Lands.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

James O'Donnell, for compensation for injuries received while in employ of city.

Michael J. Hughes, for compensation for injuries received while at work for city.

Mary E. Burroughs, to he paid for loss of fur coat stolen from room at City Hospital.

Executive.

Petitions for children under fifteen years of age for permits to appear at various places of amusement, viz.:

Mrs. Emily Kelly, for children to appear at Bethesda Hall on May 2.

Mrs. Ella F. Perkins, for children to appear at Steinert Hall on May 10.

Mary A. Haverty, for children to appear at Boston College Hall on April 24 and 25.

Jessie M. Nute, for children to appear at Whiton Hall April 26.

Mrs. J. J. Storrow, for children to appear at Women's Athletic Association April 25.

STORAGE OF GASOLENE.

A communication was received from the Phœnix Oil Company, Jeffries Point, at Maverick street, that building at said location has heen used for keeping and sale of gasolene and kerosene, and of intention to continue such use for the ensuing year.

Placed on file.

EXTENSION OF TIME.

Copy of order of Street Commissioners granting extension of time to West End Street Railway Company for work on 301st location was received.

Placed on file.

ERECTION OF POLES, ETC.

Copies of orders of Street Commissioners were received as follows: To grant permission to New England Telephone and Telegraph Company to erect and to remove one pole on Washington street, Ward 25.

To same company, granting permission to remove one pole on Weld street, Ward 23.

To Edison Electric Illuminating Company of Boston, granting permission to acquire one pole on Sutherland street.

Placed on file.

APPROVAL OF APPOINTMENTS.

Certificates were received from the Civil Service Commission approving the following appointments:

P. Robert Greene, Overseer of the Poor.

Miles Martin, Overseer of the Poor.

James T. Wetherald, Sinking Funds Commissioner.

Arthur Berenson, Infirmary Trustee.

Edward F. McSweeney, Consumptives' Hospital Trustee.

Placed on file.

APPOINTMENT OF PROBATION OFFICER.

The following was received:

Municipal Court of the Roxbury District
of the City of Boston,
Boston, April 20, 1911.

The Honorable City Council of the City of Boston sitting as County Commissioners of the County of Suffolk:

You are hereby notified that, by virtue of chapter 116 of the Acts of the Legislature of 1911, I have to-day appointed Ulysses G. Varney, Esq., of Boston, male assistant probation officer of the Municipal Court of the Roxhury District of the City of Boston; and subject to your approval I have fixed his salary at $1,800 per year, payable in equal monthly installments.

Respectfully yours,
A. Nathan Williams,
Justice of said Court.

Referred to the Committee on County Accounts.

ORDERS OF NOTICE.

On the petition of the Old Colony Railroad Company, that the limits he prescribed within which land may be taken for railroad purposes, near Butler and Huntoon streets, and on petition of same company that the limits be prescribed within which land may be taken for railroad purposes from heirs of Sarah L. Pope—orders of notice were passed for hearings thereon, the City Council acting as County Commissioners, on Monday, May 8, at four o'clock p. m.

CLERK HIRE.

W. T. A. Fitzgerald, Registrar of Deeds, submitted a report in accordance with the provisions of section 33, chapter 22, of the Revised Laws, certifying that certain persons have been employed in his office from March 24, and that work had been performed to the amount of $3,414.75.

Referred to the Committee on County Accounts.

CONTINGENT EXPENSES.

The City Auditor suhmitted a quarterly statement of money expended hy the Mayor and the City Council for contingent expenses. (Document 69.)

Placed on file.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses for thirteen newshoys, two bootblacks and five vendors —recommending that permits he granted.

Reports severally accepted; permits granted on usual conditions.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up No. 1, unfinished business, viz.:

1. Action on appointments submitted by the Mayor April 17, 1911, of Constahles of the City of Boston, for the term beginning May 1, 1911, as contained in Document 66.

The question came on confirmation. Committee —Coun. Ballantyne and McDonald. Whole number of hallots cast 6, yeas 6, and the several appointments were confirmed.

President COLLINS called up No 2, unfinished business, viz.:

2. Action on appointments submitted by the Mayor April 17, 1911, of minor officers paid by fees for the term ending April 30, 1912, as contained in Document 67.

The question came on confirmation. Committee —Coun. Smith and Kenny. Whole numher of hallots cast 6, yeas 6, and the several appointments were confirmed.

LOCKER BUILDINGS, STRANDWAY PLAYGROUND.

President COLLINS called up No. 3, unfinished business, viz.:

3. Ordered, That the sum of twenty thousand dollars ($20,000) be transferred from the appropriation for Bathing Establishment, Ward 15, to an appropriation for Locker and Sanitary Building, Strandway Playground, said appropriation to he expended under the direction of the Board of Park Commissioners.

On April 10 the foregoing order was read once and passed, yeas 8,nay 1.

The order was given its final reading and passed, yeas 6, nays 0.

PUBLIC LANDS REPORTS.

President COLLINS called up Nos. 4, 5, 6 and 7, unfinished business, viz.:

4. Whereas, the Board of Street Commissioners, under authority conferred upon said Board by acts of the Legislature of the Commonwealth of Massachusetts, did take for school purposes, by an instrument recorded with Suffolk Deeds on the twenty-eighth day of June, 1910, certain lands situate on Common and Warrenton streets in said Boston, including a parcel of land containing 279 square feet, more or less, supposed to belong to Jonathan H. Mann *et al.*; and

Whereas, The Board of Schoolhouse Commissioners, having charge of said lands taken as aforesaid, has notified the City Council that in its opinion the above-mentioned parcel of land, containing 279 square feet, more or less, taken from Jonathan H. Mann *et al.*, is no longer required for public purposes; it is hereby

Ordered, That the Mayor he and he is hereby authorized, in the name and behalf of the city and in accordance with the provisions of chapter 25, section 50, of the Revised Laws, to release and convey to the persons who were the owners thereof at the time of said taking said parcel of land containing 279 square feet, more or less, as particularly described in said instrument of taking, in consideration of the release hy said Jonathan H. Mann *et al.*, and hy all persons claiming under them, of all claims against the City of Boston for damages on account of said taking, and upon such other terms as the Mayor shall consider proper.

On April 10 the foregoing order was read once and passed, yeas 9.

5. Whereas, The Board of Street Commissioners, by an order passed on November 21, 1898, took a strip of land 6 feet in width for sewerage purposes between May street and the Arborway, in that part of Boston formerly West Roxhury, irom Theresa May; and

Whereas, The Commissioner of Public Works, now having charge of said land and easement, has notified the City Council that the said land and easement so taken is no longer required for public purposes; it is hereby

Ordered, That his Honor the Mayor be and he is hereby authorized, in the name and behalf of the city and in accordance with the provisions of chapter 25, section 50, of the Revised Laws of Massachusetts, to declare the right and easement so taken to he ahandoned, said declaration of abandonment to be made for a nominal consideration. Said strip of land heing shown on a plan deposited in the office of the Puhlic Works Department, Sewer and Water Division, Sewer Service, and marked "City of Boston, Plan No. 28, Sewerage Works, May street, West Roxbury, May 18, 1898, John E. Cheney, Acting City Engineer."

On April 10 the foregoing order was read once and passed, yeas 9.

Whereas, The City of Boston, on September 21, 1880, by deed of Dwight Foster *et al.*, trustees, recorded with Suffolk Deeds, Book 1507, page 43, and hy deed of the Boston Water Power Company of even date, recorded with said deeds, Book 1507, page 40, acquired rights in a parcel of land for the drainage of the waters of Stony brook;

Whereas, The Superintendent of Streets, now having charge of said parcel of land, has notified the City Council that said rights in a certain portion of said parcel of land are no longer required for puhlic purposes;

Ordered, That his Honor the Mayor be and he is hereby authorized, in the name and behalf of the city and in accordance with the provisions of chapter 25, section 50, of the Revised Laws of Massachusetts, to execute a deed releasing, for a nominal consideration, to the Old Colony Trust Company, as it is trustee for the Forsyth Dental Infirmary, a corporation duly established by law, all easements or other rights of the City of Boston acquired as aforesaid in or over the following described parcel of land, viz.:

Beginning at a point on the northerly side of Hemenway street at the northeasterly corner of other land of said Old Colony Trust Company, trustee as aforesaid; thence running northwesterly by said other land of said Old Colony Trust Company, trustee as aforesaid, 206 feet to the Fenway; thence turning and running northeasterly by said Fenway 10 feet; thence turning and running southeasterly by a line parallel with said first houndary and 10 feet distant northeasterly therefrom 191 feet to a point; thence turning and running southeasterly from southerly 10.03 feet to the point of beginning, and containing 1,985 square feet of land, more or less, as shown in red upon a plan made hy Whitman & Howard, civil engineers, dated December 29, 1910, signed by the Superintendent of Streets of the City of Boston and deposited in the office of the Street Department, Sewer Division.

The entire parcel of land, rights in which were acquired hy the City of Boston as aforesaid, is shown in red upon a plan dated June 18, 1880, deposited in the office of the City Engineer of the City of Boston.

On April 10 the foregoing order was read once and passed, yeas 9.

Ordered, That his Honor the Mayor he and he herehy is authorized, in a manner satisfactory to the Law Department, upon the payment of five dollars, to release unto Charles Lawton and his heirs and assigns all the right, title and interest of the city in and to lot numbered twenty-eight (28) on Austin street in Milton, containing about 5,000 square feet of land.

On April 10 the foregoing order was read once and passed, yeas 9.

The orders were given their final reading and severally passed, yeas 6, nays 0.

ORDINANCES.

Coun. McDONALD, for the Committee on Ordinances, submitted a report on ordinance (referred April 10) to amend chapter 31 of Revised Ordinances of 1898, relative to the Printing Department—that the ordinance ought to pass.

Report accepted; ordinance passed.

LICENSING OF NEWSBOYS.

Coun. SMITH offered an order—That no licenses he required for newsboys over sixteen and that application of hoys between fourteen and sixteen for the privilege of selling papers be made to the School Committee, though the actual granting of the license is to remain with this Board as at present.

Coun. SMITH—Mr. President, this matter of licensing newsboy's between the ages of fourteen and sixteen used to he handled by the City Clerk and is still handled in a separate department from the School Committee. Those under fourteen are now handled hy the School Committee. The power, so far as hoys under fourteen are concerned, has heen placed hy statute in the hands of the School Committee, leaving the right to us to grant licenses to boys from fourteen years of age up to twenty-one. The licensing of hoys over fourteen years of age has cost the city an extraordinary amount of money. The cost is approximately $6,000 for from 1,500 to 2,000 hoys. That is ahout $3 apiece. The cost of the School Committee licenses is about $2,000, and they make $500 from the sale of hadges, making a net cost of ahout $1,500 for something like 4,000 hoys. So that, while the School Committee grants double the number of licenses, the work costs only about one-quarter as much. This on its surface would require some explanation. The Finance Commission has looked into the matter, although it has not given an official report. (Since making these remarks, Councillor Smith finds that the Finance Commission has referred to the matter on p. 36, Vol. VI., of its reports.) On these figures it seems to me that the efficiency of the School Committee has heen proven, and that we should turn over the licensing of newsboys over fourteen years of age to the same hody that is at present licensing younger boys so efficiently. If we gave them the power to grant the licenses themselves it would

require an act of the Legislature, but if we simply give them the right to look up and report to us, as is now done, we can do that under an ordinance. For this reason I have brought the matter up to-day. I think, on the basis of economy and efficiency, as proven by the action of the School Committee, we should grant to that committee the right to investigate and report to this body.

The order was referred to the Executive Committee.

CITY INSURANCE FUND.

Coun. SMITH offered an order—That the Corporation Counsel be required to give an opinion as to whether the city may set aside a yearly appropriation as an insurance fund against loss on public buildings by fire, without the necessity of going to the Legislature for authority. If this can be done legally, that the Corporation Counsel be requested to draw an ordinance to that effect.

The order was read a second time, and the question came on its passage.

Coun. SMITH—Mr. President, this matter has been discussed for some time, the matter of the city insuring its own buildings against fire loss. It is in keeping with the modern custom of great corporations. At the present time the city does not insure either by outside companies or by any fund of its own set aside for that purpose. That is to say, the city is slipshod, as became apparent in the destruction of Curtis Hall last year. When property of the city is destroyed there is no fund out of which it can be rebuilt. For example, if the city has built a building on loan and the loan runs for ten or twenty years, and a fire destroying that building occurs at the end of two or three years, property of the City of Boston has been destroyed. We must then rebuild with a new loan. This is bad business. It would be an easy matter for the city to set aside a certain amount each year until the fund became large enough to amply protect our buildings. It might be done on the basis of a percentage of the total value of the city's buildings; say a half or a quarter of 1 per cent of the value of our city buildings might be set aside each year out of the tax levy. Whether this can be done legally or not there seems to be some doubt. It is for that reason that I have asked the Corporation Counsel to look it up. If it can be done, I have asked him to draw an ordinance giving the exact language under which it would be best to create the fund and protect the fund from being used for other purposes.

The order was passed.

REGULATION OF PLEASURE CRAFT.

Coun. SMITH offered an order—That his Honor the Mayor be requested to confer with the Metropolitan Park Commission relative to regulating pleasure craft on the Charles river, with special reference to motor boats slowing down and giving warning before going through bridges, and also in passing canoes and racing shells.

The order was read a second time, and the question came on its passage.

Coun. SMITH—Mr. President, this is a simple matter, but it is one that will mean great convenience to people using the river. As we have this great waterway we ought to see that it is used properly and as extensively as possible. At the present time there are several bridges crossing the stream which have draws built of solid work. If a launch comes through from the other side at a high rate of speed, boats coming in the opposite direction cannot see it and accidents are apt to occur. Recently there was an accident of this kind. Not only that, but motor boats passing up and down the river and causing a heavy swell are apt to be disastrous to canoes and to racing shells. It is for these reasons that I have introduced the order, asking his Honor the Mayor to take it up with the Metropolitan Park Commission.

The order was passed.

RECESS TAKEN.

The Council voted, on motion of Coun. KENNY, at 4.11 p. m., to take a recess subject to the call of the President.

The members of the Council reassembled in the Council Chamber and were called to order by the President at 6 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Reports on petitions (severally referred to-day) for permits for children under fifteen years of age to appear at various places of amusement, viz.:

Mrs. Emily Kelly, for children to appear at Bethesda Hall on May 2.

Mrs. Ella F. Perkins, for children to appear at Steinert Hall on May 10.

Mary A. Haverty, for children to appear at Boston College Hall on April 24 and 25.

Jessie M. Nute, for children to appear at Whitton Hall April 26.

Mrs. J. J. Storrow, for children to appear at Women's Athletic Association April 25.

Reports severally accepted; permits granted on the usual conditions.

(2) Report on message of Mayor (referred to-day) concerning improvement and extension of playground system—recommending reference to the Committee on Finance.

Report accepted; said reference ordered.

(3) Report on message of Mayor and communication from the Superintendent of Public Buildings concerning fire escapes on public buildings—recommending reference to the Building Department for report and recommendation.

Report accepted; said reference ordered.

REMOVAL OF DRINKING FOUNTAIN.

Coun. McDONALD offered an order—That his Honor the Mayor be requested to instruct the proper authorities to remove drinking fountain now situated in front of estate corner East Cottage street and Columbia road, as in its present location it is the source of much annoyance to the nearby residents.

Passed.

COUNTY ACCOUNTS.

Coun. CURLEY, for the Committee on County Accounts, submitted a report on pay roll submitted by Register of Deeds, amounting to $3,414.75—that the same be approved.

Report accepted; pay roll approved.

REMOVAL OF TREE.

Coun. CURLEY offered an order—That the Board of Street Commissioners be requested to remove tree on Magnolia street, at Robinhood street.

Passed.

REPAIR OF CROSSWALKS.

Coun. CURLEY offered an order—That the Commissioner of Public Works be requested to place in condition suitable for public travel the crosswalks upon Howard avenue, Dean street and Woodward Park street.

Passed.

HEIGHT OF FIREMEN.

Coun. CURLEY offered the following:

An Ordinance

Concerning Members of Fire Department.

Be it ordained by the City Council of Boston, as follows:

Any person five feet four inches or more in height and weighing not less than 130 pounds shall be eligible for appointment as a member of the Fire Department of the City of Boston, provided that such person meets the other requirements necessary for such appointment.

Referred to the Committee on Ordinances.

A QUESTION OF PRIVILEGE.

Coun. CURLEY—Mr. President, I rise to a question of personal privilege. My question of personal privilege concerns an article appearing in the Boston *Journal* under date of Monday, April 24. The article in question is relative to the payment for

treatments at the Boston City Hospital by myself, and I feel that an explanation is necessary. I have here a hill from the City Hospital under date of April 20, 1911. This bill was mailed to me from Washington to-day. It was mailed to my home address, I presume, on April 20, hut the post office authorities had instructions to forward my mail to Washington, so to-day for the first time I received it and had an opportunity to examine it. The bill is for treatment for seven and five-sevenths weeks, dating from January 8 to April 11, and amounts to $162. I want to say in connection with the hill, Mr. President, that neither the surgeon who treated me at the hospital, his assistants or myself were satisfied that my condition was such that I might he discharged as cured. I was discharged with "condition relieved" and with the understanding that whenever opportunity afforded I would come in for treatment until such time as a cure was effected. Upon leaving the hospital on March 11 I waited on Doctor McCollom, the Superintendent at the City Hospital, and informed him that I desired a hill for the services and treatment received at the City Hospital. Doctor McCollom informed me that the trustees had met the previous day and had ahated the bill for my treatment. I told him that I appreciated the kindness of the trustees iu the matter, but I felt that I would prefer to pay that bill. He said that he had no authority to accept payment for the bill, in view of the action of the trustees, and somewhere about April 15 I wrote the trustees asking that they suhmit to me a hill for the services received at the City Hospital. This bill has been received in reply to that request. I do not know whether the chairman of the Finance Commission is responsihle for the making puhlic of this article that appears in the Boston *Journal* and which would lead anyone to believe that it was my desire or intent to hecome an ohject of public charity at the hands of the City Hospital. I do want to say this, however,—and I feel that as a matter of justice I should say it—that it is no unusual custom to abate the hills of persons who are holding or who have held public office. In fact, it has heen a custom ohtaining there for a great number of years, and it obtains not only in the case of those in moderate or poor circumstances, but equally so in the case of those who are possessed of some means. I hesitate about citing any instance, hecause of the impropriety of such a course, but I do feel that I should call the attention of the Council to the fact that an ahatement was made just previous to my going to the hospital in the case of Ex-Mayor Green of Boston, a man of some wealth, of considerahle means. The salary of memhers of the City Council is somewhat limited, $1,500. True, the majority of people believe we are overpaid, hut the services required of one representing a district such as Coun. Ballantyne and myself represent are such as to take almost the entire time of the representative. So the amount of time that such a person can ordinarily devote to outside employment of any kind is extremely limited. If this courtesy had been extended to me by the trustees of the City Hospital my case would certainly not have estahlished a precedent, because a similar custom has obtained in the case of hundreds of other city officials since the institution was established. If there had heen such a precedent there might be some justification for the leakage of a story of this character from the rooms of the Finance Commission to the columns of the Boston *Journal*. Mr. President, I do not feel that it is customary for the distinguished acrohat who presides as chairman of the Finance Commission to make payment for a consignment of whiskey hought for his various rum shops before that whiskey is delivered to those rum shops; and I do not believe it should be proper for me to pay this hill hefore the bill is received. I had no means of knowing just what the charge would be: consequently I had no means of paying the bill more promptly. I asked for a hill and was refused a bill. If a bill had been presented, I certainly should have been pleased to pay it. Knowing the honorahle chairman of the Finance Commission as I do, I should feel that it was not only the part of wisdom but of good policy to pay it. I realize the picayunesh methods that he would not hesitate to resort to in order to place me in an unfavorable light before the puhlic, and this statement publicly made in the columns of the Boston *Journal* is the very hest indication in the world that I have heen correct in my surmises concerning him. I have no desire to add to the criticisms that I have made in the past of the chairman of the Finance Commission. I wish to say, however, that I do not take hack one solitary thing I have ever said about him. I have charged on the floor of this Chamber at previous meetings that he hegan his career as a pool shark; that he was the originator of the gambling game of "Kelley pool" in the City of Boston; that he was involved in a manslaughter case in the early years of his manhood; that his election to the high office of Congressman was obtained by methods that were responsible for the dehauchery for entire weeks of one of the city's departments; that there was more corruption in evidence at every election where he was a candidate than was ever known in the history of the city. I want to say this, however, Mr. President, that I do not believe an attempt of this character to hlacken and hesmirch, when there is no ground for such action, adds anything either to the dignity or the standing of the Finance Commission, and I do want to say that it is impossihle for the chairman of that commission hy any act to add one iota to his stature, which has always heen exceedingly small.

GRAND TRUNK TERMINUS AT BOSTON.

Coun. CURLEY offered the following:

Whereas, The bill to establish reciprocal relations hetween the United States and Dominion of Canada has heen favorahly considered by the National House of Representatives; and

Whereas, The adoption of the measure by the Senate of the United States seems assured; and

Whereas, The final passage of the bill will result in a general revival of commercial development in New England; therefore

Be it Resolved, That we, the City Council of Boston in meeting assemhled, do heartily indorse the movement for the establishment hy the Grand Trunk Railroad of a terminus at Boston; and he it further

Resolved, That copies of this resolution be forwarded to the directors of the Grand Trunk Railroad.

Coun. CURLEY—Mr. President, with relation to this particular question the opportunity is afforded me to set at ease the minds of many people in Boston with relation to the disposition that I propose making of my City Council salary. I appreciate fully the fact that there is nothing in the law which prohibits my drawing hoth salaries to which I am entitled at the present time. My purpose in retaining memhership in the City Council is that I may be of service to the people who have sent me here, and in addition may make the best use possible of the salary that I receive, not for my own particular benefit, hut for the henefit of the people of our city at large. I have my own ideas with relation to the question of the distribution of money for charitable purposes, and I realize that in some respects, possibly, they differ from those generally entertained by most persons. Personally, I believe that the receiving of charity is distasteful to the average man or woman. In our city the average man or woman welcomes an opportunity to secure employment as greatly as he or she detests the distribution of charity. In the City of Boston, as in the cities of New York, Philadelphia or any of our Atlantic cities where the bulk of the immigration is delivered, conditions of employment are such that there will at all times be in the neighhorhood of ten thousand or more people seeking employment. Any avenue that will afford a means of employment to those persons is one that should be encouraged. The Boston *American* has started in circulation petitions as a means of inducing the Grand Trunk Railroad to estahlish a terminus at the port of Boston. Mr. President, we have talked about the development of the port of Boston for the last twenty-five years without doing anything of a practical nature, and I feel that a good disposition of a portion of my City Council salary would be made hy applying it toward the creation of a fund of half a million dollars. I stand ready to contrihute $100, and there are certainly 5,000 or more men in Boston in a position to contrihute a like amount. It should he feasible to establish a fund of $500,000 among the husiness men, the Chamber of Commerce, the Boston City Clhh, anyhody else who believes in the development of the port of Boston or who believes in the work of reform—hecause, after all, the question of reform is largely a matter of conditions and of environment. Crime waves are only general in large cities during periods of general industrial depression; and, so far as domestic felicity goes, there is nothing that will hring such a smile of

happiness, peace, contentment and gladness, if you will, to the housewife on a Saturday night as a full pay envelope. So anything that will tend to increase the prosperity, peace and general happiness of the community is deserving of encouragement. I realize the fact that my contribution in this particular is exceedingly small, but if 5,000 men in this city will contribute a like amount it will be possible for the citizens of Boston not only to present a petition signed by 100,000 citizens and a petition bearing the approval of the City Council of Boston to the movement for the establishment of a terminus for the Grand Trunk Railroad here, but to show the directors of the Grand Trunk Railroad in a practical way that we are willing to go a step farther, that we are willing to furnish them with sufficient money to establish a terminus for their great railroad in the port of Boston. In the consideration of the reciprocity treaty with Canada, recently considered by Congress, the injury and injustice that would come to the farmers of the country because of competition resulting in cheap agricultural products from the fertile fields of Saskatchewan and Alberta, of the Canadian fields generally, was dwelt upon at great length. Personally I have the immigration figures from 1900 to 1909, as compiled by the commission of which the senior senator from Massachusetts, Mr. Lodge, was chairman. Those figures show that, while 8,000,000 immigrants landed in this country in those nine years, in excess of 80 per cent entered manufacturing and mercantile pursuits, while the number entering agricultural pursuits was so small as to be actually not worthy of recognition. If that is the condition of affairs, the only way in which cheaper cost of living can be obtained in the large cities is by opening up that section so that the people of these United States can obtain the fruits of the earth. Canada is peculiarly situated. It has only two outlets that can be used throughout the entire year, an eastern outlet and a western outlet. They are blocked to the north because of the rigorous climate, and they have been blocked to the south because of the tariff war that has been maintained by this country. We are within less than a day's journey from Canada on the Boston & Maine Railroad. Canada must have some outlet in the winter for the product of her fields, the product of her factories and the product of her mines, and New England has the greatest opportunity ever presented in her history to take advantage of and profit by the commercial development that will ensue in Canada and in New England. We take the first practical step by the creation of this fund; we take the second practical step by the signing of these petitions. If $500,000 is turned over by the business men of Boston, it will mean much. If the contributions are but $100 each, they will not weigh heavily on the particular shoulders of any individual. The amount is sufficiently light to make possible a contribution of that character by every business man in Boston, because of the increase that will result, and it is something that may well appeal to them, because it will result materially in the development of the port of Boston and the enrichment of the manufacturers and business men of the city. I say that in my opinion it is the greatest opportunity that has been presented to the port of Boston in the last twenty-five years, and I sincerely trust that we will take advantage of it. I desire to present this check for $100 to the representative of the Boston *American*, Mr. Andrew R. Kelley, to be turned over by him to his paper; and I sincerely trust that the business men of Boston will see the wisdom of contributing generously to this proposition so that we may within a reasonable time take advantage of our opportunity before some other New England or other city precedes us.

The question came on the adoption of the resolutions, which were read for the information of Coun. Smith.

Coun. SMITH—Mr. President, may I inquire whether there is a movement by the Grand Trunk road toward a terminus in Boston?

Coun. CURLEY—If I might be permitted I would say, Mr. Smith, that the Boston *American* of yesterday, April 23, contained a very lengthy article, with the signatures of many prominent officials, including his Excellency the Governor, and his Honor the Mayor, in favor of the project; that Mr. FitzHugh, the vice president of the Grand Trunk Railroad, representing the Grand Trunk, said that the directors were in doubt as to whether they were welcome to the port of Boston or not; and the *American*, taking the vice president at his word, proposed to furnish him within a short time the signatures of 100,000 men in Boston who are in favor of the Grand Trunk establishing a terminus at the port of Boston. Now, then, my proposition, which is independent of the resolutions, is that the *American* start a fund of half a million dollars, to be turned over to the Grand Trunk officials on condition that they establish a terminus here at Boston, the idea being that the 5,000 business men would profit by the increased business that would come from the establishment of a Grand Trunk terminus here and the opening up of Canadian territory, with free admission of raw materials and food products; that they would, therefore, welcome an opportunity to contribute, and the amount of the contribution would be really so small, considering what the coming of the Grand Trunk road here would mean to Boston and New England, as to make the probable return on the investment of these business men exceedingly great.

Coun. SMITH—Mr. President, it would give me great pleasure to vote for the movement which Mr. Curley has inaugurated. I read with a great deal of interest the article in the *American* yesterday, but I could not gather from the article that there was any real probability, or even a possibility, that the Grand Trunk road was considering Boston as a terminal point. Of course, the Grand Trunk is now in Portland, Me., the Grank Trunk is now in New London, Conn., and the Grand Trunk has been making every effort for over a year to get into Providence, R. I. If it is desirous of having Boston as a terminus, certainly we ought to do everything we can to attract it this way. The statement of Mr. FitzHugh, however, seemed to me to be absolutely negative. He was asked if there was any such movement, and replied that there was a movement to get into Providence. As to Boston, he refused to answer at all. Of course, if there is a movement for the road to come here, I shall be only too glad to assist in it with my vote here or otherwise, and I shall be very glad to help in any movement that Mr. Curley has started —but as to there being any movement on foot prior to Mr. Curley's efforts I am unaware of it.

Coun. CURLEY—Mr. President, I have a copy of the Boston *American* here and it says:

"There is nothing chimerical or uncertain about the coming of the Grand Trunk to this city. The directors will be easy to convince that Boston is necessary to them as a great Atlantic terminal. But they cannot enter Boston without a strong public sentiment in their favor which will secure them the right to extend their lines from Palmer to Boston."

And the article continues. But I feel that I have read sufficient to satisfy my Brother Smith.

The resolutions were adopted.

GENERAL RECONSIDERATION.

On motion of Coun. McDONALD the Council refused a general reconsideration of all action taken to-day.

Adjourned, on motion of Coun. McDONALD, at 6.13 p. m., to meet on Monday, May 1, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Friday, April 28, 1911.

Hearing before the City Council in the Mayor's hearing room, City Hall, at 7.30 o'clock p. m., President COLLINS in the chair and a quorum present.

The Assistant City Clerk read the section of the charter under which the hearing was held, and also the following advertisement in the *City Record* of April 15:

Notice of Hearings.

Street Lighting Contract.

City of Boston,
Office of the City Clerk, April 14, 1911.

The City Council of the City of Boston will give a public hearing in the former Aldermanic Chamber, City Hall, on Friday, April 28, at 7.30 o'clock p. m., on the proposed contract with the Rising Sun Street Lighting Company for lighting the public streets, parks and alleys with gas incandescent mantle lamps.

By order of the City Council,
JOHN T. PRIEST, City Clerk.

Mr. Henry E. Hagan appeared for the Boston Chamber of Commerce and stated that the Committee on Municipal and Metropolitan Affairs of that body has considered the matter of the street lighting contracts, has conferred with Commissioner Rourke and with Mr. E. N. Wrightington, second vice president of the Boston Consolidated Gas Company, and recommends that the present temporary contract with the Rising Sun Company be continued for a period of not over six months; that in the meantime a study be made of the appliances for automatic lighting with the purpose of either buying an automatic equipment to be operated by the city or making a contract with the company which shall furnish the most efficient device and shall agree to sell it to the city upon stated notice and at an appraised value; that in the opinion of the committee satisfactory automatic lighting devices, both in the form of pressure appliances and automatic clocks, are now upon the market, and that the whole saving from the use of such a device should accrue to the city; that the pending contract with the Rising Sun Company is disadvantageous to the city in that any reduction in the cost of operating the lamps resulting from the installation of an automatic device would be divided between the city and the contractor.

The speaker thought it quite possible that other competitive bids might be obtained, through the assistance of the Chamber of Commerce and other public organizations, and with some degree of publicity, and that a careful, broad and comprehensive study should be given to the various methods of automatic lighting and extinguishing.

Mr. Frederick J. Brand thought the question divided itself into three parts: Shall the city do its own lighting, shall it be done by contract, shall it employ electricity or gas? Personally he felt that electricity represented the triumph of man's ingenuity in lighting, while the use of gas is primitive. The city should not tie itself up with a gas lighting contract for ten years.

The speaker pointed out the wonderful results that have been achieved in Pasadena, Cal., which, under a municipal lighting system, is obtaining far better illumination at a greatly reduced cost; and he also referred to the fact that Boston's lighting contrasts very unfavorably with that of Rochester, N. Y., and of other places. He did think, however, that the Consolidated Gas Company might be given serious consideration if it showed a disposition to come forward and make a bid that would be attractive to the city. He thought the city should consider very earnestly the advisability of municipal lighting.

Mr. James M. Glassman, representing the Automatic Lighting Company, stated that his company is manufacturing an automatic device of which it was ready to install any number that the city might desire, 500 if necessary, to prove that the device will result in a considerable saving to the city; that the company is prepared to install a sufficient number to equip every lamp-post in the city without charge to the city, upon an equal division of the net saving in the cost of maintenance, for lighting and extinguishing. The company estimates that there would be a saving of 90 lamplighters. He showed what a reduction there had been in the expense of maintenance in the city of Liverpool by automatic devices, and said the same result could be accomplished here. Some of the Automatic Company's devices are installed in different cities of this country, including one in the City of Boston, but so far purely on a test or experimental basis. The percentage of efficiency, however, is very high. His company had not made a bid under the recent advertisement, as it was not prepared to go into the matter of equipment.

Mr. J. W. Maples thought Boston should be a handsomely lighted city, with up-to-date methods, and stated that such was not now the case, and he thought the only solution of the problem was municipal lighting, the city owning its own equipment and facilities for furnishing the citizens with light. He stated that in every city where municipal lighting had been tried on a proper basis it had been a great success, both from the standpoint of efficiency and economy; and he certainly did not favor tying up the city for ten years with any such contract as is proposed.

Mr. Robert A. Jordan, representing William A. Rumpf, spoke of the advantages of the inverted gas lamp, stating that it doubled the candle power with practically the same consumption of gas. He spoke particularly of Graetzin gas lamp, saying that nearly all the continental European countries are using this inverted lamp, and that Boston is 25 years behind the times in its lighting. By making such a contract as Mr. Rumpf and Mr. Robinson offer the city will own its own equipment at the termination of the contract and will have had double the quantity of light that it now has, to say nothing of the economy of the proposition.

Mr. Frank H. McCarthy, vice president of the Central Labor Union, representing the Lamplighters' Union, stated that not only does that union object to the adoption of the contract as presented to the Council, but offers two alternative propositions, either of which it believes to be a great improvement. The union has tried to view the matter not only from its own standpoint but from that of the city, having in mind good lighting service, economy and protection of life and property as well as fair conditions to labor. It considers that the suggested contract price is excessive, and bases that upon the long experience of its own members with this business. The propositions it makes show on their face a saving to the city, and the union expressly guards the city against any possible increase in the labor cost by solemnly agreeing not to take any direct or indirect steps toward the increasing of wages, reduction of hours, or vacations of any kind. The Central Labor Union stands back of the Lamplighters' Union in this agreement. The figures submitted by the union are based upon the results of long and intimate experience with all the details of this business by its members. Insidious attacks are made everywhere, all along the line, against municipal ownership or operation of public utilities, but when the city can conduct its affairs upon at least as sound, permanent and honest a basis as a private concern it is hard to understand why there should be objection to its doing it. If the city accepts either one of the propositions offered by the union, when the ten years has expired the city will be the complete owner of its lighting plant and able from that time on to have a still cheaper system of lighting, besides in the meantime making a large saving; and if the proposed contract with the Rising Sun Company is accepted, not only will the lamplighters lose 25 cents a day, if they are employed by the company, but at the end of the ten years the city will not only have lost $204,000 which it might save, but will not own a shoestring in connection with the lighting plant and will be in the same position it is now. With regard to an automatic system of lighting, if feasible and desirable, he wished it understood that the laboring men stood in relation to such a system as the typos stand towards the linotype, as the shoe workers stand towards the shoe machines,—that they go into establishments and operate the machines recognizing the fact that this is an age of progress, that improvements are at all times coming about, and that men in industries must suit themselves to conditions as they change. When there is a lighting device that will light automatically and well, and

when it shall be for the business interest of the city to apply it, if it displaces lamplighters they will, of course, regret their displacement, but will recognize that it is in the line of the march of progress and that they have to submit; that by the introduction of all forms of machinery men are displaced at the start but that the improvement stands for general advancement in the long run; but he felt that when that time comes the city should reap all the benefits and profits coming from such an investment, not dividing the profits with any private concern. He stated that the figures, $185,000 to install 11,000 inverted lamps, are not haphazard but are based on experience and carefully worked out.

Mr. Frank A. Goodwin was opposed to the signing of the contract with the Rising Sun Company as he thought it would be ridiculous to tie up the city for ten years, continuing the present kind of lamps. He was in favor of municipal ownership of an electric lighting plant, and stated that it depended upon the City Council and upon Mr. Rourke, acting for the Mayor, whether or not we shall have it. He also considered the figures set forth by the Lamplighters' Union as too low, that the expenses of equipment and maintenance would be somewhat higher than those suggested, and he did not feel that a lamplighter could properly take care of more than ninety lamps, while the union had mentioned 100. He thought if it were put up to the Mayor to give reasons why the city should not run a municipal lighting plant the only reason he could give would be that he had not confidence in his Commissioner of Public Works; and he thought in a matter of this kind that it was not for the City Council to wait for the Mayor to take the initiative.

Mr. William H. O'Brien, president of the Central Labor Union, Mr. Fred J. Kneeland, representing the Boston Building Trades Council, and Mr. Charles Morris, representing a committee of the Boston Central Labor Union, appeared and indorsed what Mr. McCarthy had said, stating that it was absolutely understood that the Central Labor Union stood back of the proposed agreement of the Lamplighters' Union not to take any steps directly or indirectly during the proposed term for the increase of wages or the reduction of hours.

Mr. Parker D. Morris appeared for certain clients, whose identity he was unwilling to disclose at this time, stating that if the matter were open his clients, representing a large amount of capital, were prepared to come in and submit a bid under any reasonable proposition, either the same as the specifications already issued or new ones, and he felt that he could assure the City Council that there would be a material saving as compared with the present proposition of the Rising Sun Company. He explained that they had not previously submitted a bid because they were not at the time in touch with each other, but that their attention had been directed to the matter by the discussion which resulted from the action of the Council.

There being nobody else who wished to address the Council the hearing was adjourned, on motion of Coun. BUCKLEY, at 10.19 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 1, 1911.

Regular meeting of the City Council, held in the Council Chamher, City Hall, at three o'clock p. m., President COLLINS in the chair. Absent—Coun. Kenny.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

APPOINTMENTS BY THE MAYOR.

Suhject to confirmation hy the Council the Mayor submitted the following appointments, all for the term ending April 30, 1912:

(1) George E. Dalrymple (17 Cazenove street, Ward 10), Henry J. Flynn (10 Aldie street, Ward 25), Edward B. Griffin (32 Rush street, Somerville), Stephen M. Hale (50 Greenough street, West Newton), Edward F. McCormack (311 Camhridge street, Ward 25) and Charles H. Woods (11 Linden street, Ward 25), to he Weighers of Coal, Measurers of Wood and Bark, Measurers of Grain, Weighers of Boilers and Heavy Machinery and Weighers of Beef.

(2) Frank Stiles (Sydney street, Cambridge), to be a Weigher of Coal.

(3) James A. De Courcy (34 Kempton street, Ward 19), a Constahle of the City of Boston for the term ending April 30, 1912.

(4) Almerindo Sarno (12 Arnold street, Ward 19), a Constable of the City of Boston for the term ending April 30, 1912.

Severally laid over under the law.

FEES FOR PERMITS.

The following was received:

City of Boston,
Office of the Mayor, May 1, 1911.

To the City Council:

I beg to transmit a draft of an order fixing the fees provided for in the charter for the storage and sale of gasolene, oil and other inflammable substances or explosive compounds, and for the construction and use of hay windows, marquises, vaults and coal hole openings. This draft has heen prepared after careful consideration by the Board of Street Commissioners and its form has been approved by the Corporation Counsel.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston.
In thc Year Nineteen Hundred and Eleven.

An Ordinance providing for the determination of fees or charges for coal holes, vaults, hay windows and marquises.

Be it ordained by the City Council of Boston, as follows:

Section 1. Permits or licenses for the storage of gasolene or oil, or other inflammahle suhstances or explosive compounds, are to he issued upon the terms and conditions provided for by chapter five hundred and two of the acts of nineteen hundred and eight.

Sect. 2. A fee or charge of not less than ten dollars nor more than five hundred dollars shall be determined by the Board of Street Commissioners for each license or permit issued for the construction or use of a hay window over the puhlic ways. A bay window within the meaning of this ordinance shall mean a structure not more than one story in height.

Sect. 3. A fee or charge of not less than ten dollars nor more than five hundred dollars shall he determined by the Board of Street Commissioners for each license or permit issued for the construction or use of a marquise over the public ways.

Sect. 4. A fee or charge shall be determined hy the Board of Street Commissioners for each license or permit issued for the construction or use of a vault in or under the puhlic ways in accordance with the following provisions:

For a vault to he used in connection with a coal hole for the reception or storage of fuel not less than two dollars nor more than one hundred dollars.

For a vault with a hulkhead opening to he used for the reception, storage or delivery of goods, wares and merchandise not less than ten dollars nor more than five hundred dollars.

For a vault to he used as an extension of the hasement of a building for husiness purposes not less than twenty-five dollars nor more than five thousand dollars.

Sect. 5. A fee or charge of not less than two dóllars nor more than fifty dollars shall he paid for each license or permit issued hy the Board of Street Commissioners for the construction or use of a coal hole with chute attached and connecting with the basement of a building in and under the puhlic ways, said coal holes to he used only for the reception of fuel.

Sect. 6. Fees or charges determined or fixed as aforesaid shall be payahle on the issuance of the license or permit.

Referred to the Committee on Ordinances.

CONSOLIDATION OF DEPARTMENTS.

The following was received:

City of Boston,
Office of the Mayor, May 1, 1911.

To the City Council:

At the meeting of your honorable body held on February 27, 1911, the following order was passed:

"Ordered, That the Corporation Counsel he requested to confer with his Honor the Mayor with a view to framing a new draft of ordinance aholishing the Bath, Music and Puhlic Grounds Departments, and transferring their duties to the Park Department so as to put into force a consolidation of the entire recreation service of the city, and thereafter to suhmit to the City Council such draft of ordinance."

In compliance with this request I have asked the Corporation Counsel to draft the ordinance contemplated in your order and respectfully submit the same herewith.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston.
In The Year Nineteen Hundred and Eleven.

An Ordinance establishing a Park and Recreation Department and aholishing the Park Department, the Public Grounds Department, the Bath Department and the Music Department.

Be it ordained by the City Council of Boston, as follows:

Section 1. The Park and Recreation Department which is herehy estahlished shall be under the charge of the Commissioner of Puhlic Recreation, who shall be appointed hy the Mayor. Said commissioner shall give his entire time to the work of the department and shall exercise and perform all the duties herein enumerated and all other powers and duties not herein specifically enumerated which are required hy existing laws and ordinances to he exercised and performed hy the Park Commissioners, the Superintendent of Puhlic Grounds and the Trustees of the Bath and Musie Departments.

Sect. 2. There shall be in said department an Advisory Board of five members appointed by the Mayor in the following manner: One memher from three names suhmitted hy the Chamber of Commerce, one memher from three names suhmitted by the Central Lahor Union, one memher from three names submitted hy the Boston Society of Architects, one member from three names suhmitted by the Local Improvement Associations, and one member from three names submitted hy the N. E.

Association of the A. A. U. Said appointments shall be made for the terms of one, two, three, four and five years and each subsequent appointment shall be made by the Mayor for the term of five years. Said Board shall serve without compensation. Said Board shall consider all matters affecting the policy and general conduct of the department and shall make recommendations for the guidance of the commissioner, when requested by the commissioner, or whenever said Board deems such recommendations advisable or necessary. The decision of the commissioner shall be final in all matters so far as this department is concerned except in the matter of the purchase or taking of land for said department, when said advisory board with said commissioner shall constitute a joint board for such purpose, and shall be governed by the provisions of law relating to the taking of land for parks and playgrounds when land is taken for said purposes.

Sect. 3. Said commissioner shall construct, improve, equip, supervise and regulate the use of all parks, public grounds, playgrounds, baths and beaches that have heretofore been under the charge and control of the Park Commissioners, the Superintendent of Public Grounds and Trustees of the Bath Department, or that hereafter may be placed in the charge of the department, or that may be taken by purchase or otherwise; and such other parks, playgrounds, public grounds, ways, or means for outdoor recreation as may be placed in the charge of the department by the city, the Board of Metropolitan Park Commissioners, or the Legislature.

Sect. 4. Said commissioner shall have the care and superintendence of all trees belonging to the city; shall trim all shade trees standing in the street so that they shall not interfere with public travel; shall carry out all orders of the Street Commissioners made after public notice and hearing to remove trees standing in the street; shall upon request of the officer having charge of the public lamps trim in such manner as said officer may require any tree which interferes with the proper lighting of a street, and shall cause all statutes and ordinances for the protection of trees, shrubs and flowers in the public grounds and streets to be strictly observed.

Sect. 5. Said commissioner shall construct, improve, equip, supervise and regulate the use of all gymnasia and all bath houses, now or hereafter provided by the city, and shall construct every such new bath house, gymnasium or means for public recreation for which an appropriation may hereafter be made.

Sect. 6. Said commissioner shall have the charge and control of the selection of public music to be given for parades, concerts, public celebrations and other purposes under appropriations of the city council, shall determine the parties to furnish the same, make the contracts and expend the moneys to be paid from the city treasury for such music, and perform all other duties given by statute or ordinance to the former board of Music Trustees.

Sect. 7. The rules and regulations heretofore adopted by the Park Commission for the use and government of the parks, parkways, playgrounds and streets formerly under its charge shall continue in force until changed by the Commissioner of Public Recreation, and said commissioner, with the approval of the City Council, may establish from time to time regulations for the use and government of said parks, parkways, playgrounds and streets. Whoever violates any such regulation shall be punished by a fine not exceeding twenty dollars for each offence and not only the person actually doing the prohibited thing but also his employer and every person concerned in so doing shall be punished by such fine.

Sect. 8. The commissioner shall create two divisions of said department, namely, a Park Division and a Recreation Division. Each division shall be in charge of a deputy commissioner who shall devote his whole time to the work and who shall receive an annual salary of not more than four thousand dollars. Said commissioner shall appoint the deputy commissioners, engineers, physicians, subordinates and employees and define their powers and duties and fix the amount of their compensation.

Sect. 9. Chapter seven, chapter twenty-six, chapter twenty-eight and chapter thirty-three of the Revised Ordinances of 1898 and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sect. 10. Section five of chapter three of the Revised Ordinances of 1898 is hereby amended by striking out the following words: "the superintendent of public grounds, four thousand dollars"; and by inserting the words, "the commissioner of public recreation, six thousand dollars."

Sect. 11. This ordinance shall go into effect upon its passage.

Referred to the Committee on Ordinances.

LOCKER BUILDING, TENEAN BEACH.

The following was received:

City of Boston,
Office of the Mayor, May 1, 1911.

To the City Council:

Representatives of local associations have waited upon me, urging the necessity of increasing the accommodations at the Tenean Beach Bath House. The chairman of the Board of Bath Trustees believes that this can be done by filling the space between the two buildings, making a locker house about forty-five (45) by twenty-five (25) feet, the cost of which is estimated by him, in a communication appended hereto, at one thousand five hundred dollars ($1,500). As this improvement seems to me to be a necessary one, if the beach is to be used to its full capacity this season, I recommend the passage of the accompanying order, which provides an appropriation for this purpose. The funds might properly be taken from the amount received from the trustees of the late Quincy A. Shaw.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Bath Department,
Boston, May 1, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

Dear Sir,—I beg to submit estimate for building locker house, 45 feet by 25 feet, at Tenean Beach, providing 125 new lockers and 3 new showers, general improvements and alterations, $1,500.

Very truly yours,
RICHARD M. WALSH,
Chairman Bath Trustees.

—

Ordered, That the sum of one thousand five hundred dollars ($1,500) be appropriated from the revenue received from the estate of the late Quincy A. Shaw, to be expended under the direction of the Bath Trustees, for the erection of a locker building at Tenean Beach.

Referred to the Executive Committee.

PROTEST AGAINST GARBAGE DEPOT.

The following was received:

City of Boston,
Office of the Mayor, April 26, 1911.

To the City Council:

I beg to transmit a letter from the corresponding secretary of the Savin Hill Improvement Association regarding a vote recently passed by that association opposing the location of a garbage collection depot on the water front at Harrison square, Dorchester, and requesting that a public hearing be held at which citizens may have an opportunity to state their objections. I venture to suggest that in your consideration of the question, which must come before you for decision in the near future, you hold a public hearing in some convenient hall in the Savin Hill district, in order that the citizens of that district may have the opportunity which they desire for expressing their views upon the subject.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Savin Hill Improvement Association,
Dorchester, April 24, 1911.

Mayor John F. Fitzgerald,
Boston, Mass.:

Dear Sir,—At a recent meeting of the Savin Hill Improvement Association an unanimous vote was passed by which this association placed itself on record as opposing the location of a garbage collection depot on the water front at Harrison square, Dorchester.

The residents of this district strongly protest against the establishing of this depot in this section, and particularly wish to call your attention to the fact that the Savin Hill public bathing beach, which is resorted to by thousands in the summer season, would be greatly injured.

I have been requested to ask your Honor to appoint a time for a public hearing at which the citizens may have an opportunity to state their reasons why this depot should not be placed in this section of Dorchester.

Trusting that you will see your way clear to comply with this request at an early date and awaiting your reply, I am

Yours very truly,
N. WINTHROP ROBINSON,
Corresponding Secretary.

Referred to the Executive Committee.

TARGET PRACTICE FOR MILITIA.

The following was received:

City of Boston,
Office of the Mayor, May 1, 1911.

To the City Council:

I beg to transmit a letter from the Acting Superintendent of Public Buildings, accompanied by an order authorizing the Superintendent of Public Buildings to furnish the necessary facilities for target practice for the troops of the Massachusetts Volunteer Militia stationed in Boston during the coming season, on the approval of their respective commanding officers, the expense of same not to exceed certain amounts specified in the order, and to recommend that this order be passed by your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Office of Public Buildings Department,
April 28, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Section 130 of the Acts of 1908 specifies, in part, that the Mayor and aldermen shall provide the necessary facilities for target practice for the militia stationed within the city's limits, and as the usual season for such target practice begins about May 1, I submit herewith an order, covering the same, for the consideration of the City Council.

The allotment of the amount for the respective commands has the approval of the Adjutant General, G. W. Pearson.

It has been customary to present a like order each year to the City Council. This total amount of $5,000 is to be charged to the appropriation of this department as already made.

Yours respectfully,
WILLIAM P. VAN TASSEL,
Acting Superintendent of Public Buildings.

—

Ordered, That the Superintendent of Public Buildings be hereby authorized to furnish the necessary facilities for target practice for the troops of the Massachusetts Volunteer Militia stationed in Boston during the present season, on the approval of their respective commanding officers, not exceeding the following amounts to each organization:

To the Corps Coast Artillery	$1,015 00
To the Ninth Regiment	1,160 00
To the First Corps Cadets	655 00
To the First Battalion Cavalry	495 00
To the Naval Brigade	640 00
To the Fifth Regiment	520 00
To the Sixth Regiment	160 00
To the First Brigade	10 00
To the Second Brigade	10 00
To the Signal Company	160 00
To the staff commander-in-chief and staff department	175 00
	$5,000 00

The same to be charged to the appropriation for the Public Buildings Department.

Referred to the Executive Committee.

DISPLAY OF FLAGS.

The following was received:

City of Boston,
Office of the Mayor, May 1, 1911.

To the City Council:

I beg to submit a communication from Mr. Edward O. Skelton, patriotic instructor, Department of Massachusetts, G. A. R., together with a copy of Senate Bill No. 406. Mr. Skelton recommends that the flags upon all public buildings be hoisted throughout the year as an object lesson in patriotism to the citizens, and I deem this suggestion very worthy of consideration by your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

April 27, 1911.

Hon. John F. Fitzgerald,
Mayor of City of Boston:

Dear Sir,—Having secured after vigorous opposition the enactment by the Legislature of 1911 of a law which provides for the imposition of a penalty of five dollars upon the principal or master of any public school in the Commonwealth who neglects to display the flag of our country upon all school session days on the schoolhouse in which he may be in charge, I write to suggest that an order from you requiring all public buildings in the City of Boston, fire, police, hospital, to display the United States flag on such days as the weather permits would be promotive in a large degree of the lesson which we Americans are striving so hard to inculcate in the minds of those people who have in recent years come from lands of oppression to the land of freedom—that respect for the flag, the one visual representation of the nation, results in making patriotic Americans, inculcating in them a spirit that when in the future that flag should be assailed they would with the same spirit as did the men and boys of 1861 spring to its defence. The daily display of the flag does not "cheapen it" as some say. It seems to make you, me, every loyal American, love it the more. And with us, so in time will it be with those who to-day do not realize what it stands for. It will in the display serve to soften the hearts of the lawless element, with resultant decrease in crime.

I know, Mr. Mayor, that this letter would be unnecessary if in the multitude of your cares of and thoughts of the welfare of our city you had the time to even give it a thought.

I am,

Very respectfully,
EDWARD O. SKELTON,
Patriotic Instructor,
Department Massachusetts, G. A. R.

I inclose a copy of the flag law approved by the Governor April 5, 1911.

(Accompanying the letter was Senate Bill 406.)

Referred to Executive Committee.

HIGH PRESSURE SERVICE.

The following was received:

City of Boston,
Office of the Mayor, May 1, 1911.

To the City Council:

I submit herewith a letter from the Fire Commissioner, together with a certified copy of chapter 312 of the Acts of 1911, which is an act to provide for a high pressure fire service in the City of Boston. This measure was advocated by the Fire Commissioner, the Chamber of Commerce and the Board of Fire Underwriters, and in view of the recent conflagrations in other cities, which had emphasized the need of strengthening the system of fire protection everywhere, I presume there will be no hesitation on your part in accepting it. I recommend, therefore, the passage of the appended order, providing for such acceptance, and suggest that an appropriation be made as liberal as may be deemed consistent with the other demands upon the resources of the city.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Fire Department,
Boston, April 26, 1911.

Hon. John F. Fitzgerald, Mayor:

Sir,—I have the honor to inclose herewith a certified copy of an act to provide high pressure fire service in the City of Boston. This act has been passed by the General Court of this year and signed by the Governor, and will take effect upon its acceptance by the City Council and the Mayor.

I therefore request that this matter be officially brought to the attention of the City Council at once.

There seems to be no question that we should proceed to the immediate installation of the high pressure service. The leading cities of America

either have or are installing this system, and its success is unquestioned. Systems of high pressure water mains used exclusively for fire protection are installed in New York (one in Manhattan, one in Brooklyn and one at Coney Island), Philadelphia, Toronto, Ontario; Winnipeg, Manitoba; Cleveland, Detroit, Buffalo and Oakland, Cal. San Francisco and Baltimore are putting in such systems, and Portland, Ore., and Toledo, Ohio, have started them.

Philadelphia has used its system for nearly eight years, and Manhattan and Brooklyn about three years; the experience in these cities proves the feasibility of separate high pressure fire system and its superiority over fire engines, especially for large fires which tend to assume conflagration proportions.

In my judgment, the high pressure service would be even more effective in the City of Boston than in any of the above mentioned cities.

I therefore strongly recommend that this matter he pushed forward with all dispatch.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

An Act
To Provide for a High Pressure Fire Service in the City of Boston.

Be it enacted hy the Senate and House of Representatives in General Court assembled and hy the authority of the same, as follows:

Section 1. The commissioner of public works of the city of Boston is hereby authorized to prepare plans and to proceed to the immediate installation of a suitahle and efficient system of high pressure fire service for the said city.

Sect. 2. For the purpose of defraying the expenses incurred under the provisions of this act the city council may appropriate during the ensuing six years the sum of one million dollars. The said appropriation shall be not less than one hundred and fifty thousand dollars for each year, and the amount which the city council shall thus appropriate in any one year shall be included in the statutory limit of indebtedness of the city for that year.

Sect. 3. The said city is herehy authorized to take such quantities of water as may be necessary for the proper carrying out of the purposes of this act from the Charles river basin. It shall also he authorized to purchase or to erect such pumps and stations as may he necessary to carry out the purposes of this act. The work of huilding such pumping stations as may he found necessary under the authority of this act shall be done hy contract puhlicly advertised. Not more than fifteen per cent of the indehtedness incurred under the provisions of this act in any year shall he expended for day labor.

Sect. 4. This act shall take effect upon its acceptance by the city council and mayor of the City of Boston.

Approved April 20, 1911.

Ordered, That chapter 312 of the Acts of 1911, entitled "An Act to provide for a high pressure fire service in the City of Boston," be, and the same hereby is, accepted by the city.

Referred to the Executive Committee.

COMMITTEE ON INDEPENDENCE DAY.

The following was received:

City of Boston,
Office of the Mayor, May 1, 1911.

To the City Council:

The success achieved in the celehration of Independence Day by the arrangement of a somewhat novel program last year leads me to hope that still better results may be ohtained in 1911. To this end I recommend that a committee of three members of your honorable body be appointed hy the President to confer with the officers of the United Improvement Association and such other local organizations as may seem proper, with a view to outlining and arranging the celebration for this year. Should this committee be appointed immediately, as I trust it will, I shall be glad to arrange a conference in my office this week with the representatives of the organizations mentioned.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Fernald & Co., for a hearing on their claim for damages to wagon on the East Boston Ferries.

Hyman Spektosky, for compensation for damages at 39-41 Salutation street by blocking up of sewer.

Rohert G. Nixon, for a hearing on his claim on account of injuries received hy a defect in Chamhers street.

James J. Collins, to he paid for a horse injured on ferryhoat "D. D. Kelly" on April 6, 1911.

Jacob Kernish, for a hearing on his claim.

Bessie Rosenhloom, for a hearing on her claim.

Daniel E. Earle, for compensation for injuries caused by his being knocked down by an automohile helonging to the city.

County Accounts.

Frederick C. Brughts, for retirement under provisions of chapter 459 of Acts of 1910.

Executive.

Petitions for permits for children under fifteen years of age to appear at various places of amusement, viz.:

Edith Guerrier, for children at Parker Memorial Hall May 1.

R. J. Holmes, for children at Parker Memorial Hall on May 19.

Helen Guest, for children at Boston College Hall on May 10.

B. Guckenheimer, for children at Steinert Hall on June 1, 8 and 15.

Petitions for sidewalks, viz.:

(Brick.)

Blacker-Shepard Company, 409 Albany street, Ward 9.

Estate of J. Harrington, 675 East Second street, Ward 14.

Thomas J. Begley, 717 East Second street, Ward 14.

Rohert P. Gerety, 679 East Second street, Ward 14.

Mrs. Horace Manson, 404 East Third street, Ward 14.

(Artificial Stone.)

Samuel Altman, 327 Huntington avenue, Ward 10.

Canton & Altman, 25 Peterhoro street, Ward 11.

S. W. Johnson, 1592–1596 Columhia road, at K street.

W. H. Hardy, 8 Moseley street, Ward 16.

S. Shine, 13 Judson street, Ward 16.

James F. Flaherty, 69 Bird street, Ward 16.

F. E. Corhett, 14–18 Eastman street, Ward 16.

Joseph Sullivan, 15 Edson street, Ward 16.

William A. Whittemore, 33–33A–35–35A–37 Hancock street, Ward 20.

C. G. G. Reynolds, 27 Richfield street, Ward 20.

William Riley, 871 Dorchester avenue, Ward 20.

Nathan C. Harrison, 84 Melville avenue, Ward 20.

Daniel Quinn, 15 Hinckley street, Ward 20.

George N. Douse, 34 Mt. Everett street, Ward 20.

George N. Douse, 49–53 Mt. Everett street, Ward 20.

George N. Douse, 24 Hamilton street, Ward 20.

Ella E. O'Shea, 20 Wales street, Ward 20.

Ella E. O'Shea, 38 Wales street, Ward 20.

Mrs. E. J. Ford, 19 Newport street, Ward 20.

Louis E. Buff, 233 Chestnut avenue, Ward 22.

George O. Currier, 223 Chestnut avenue, Ward 22.

R. W. Morville, Jr., 221 Chestnut avenue, Ward 22.

Louis Shuman, 175A Chestnut avenue, Ward 22.

R. G. Crosby, 336–338 Talhot avenue, Ward 20.

Anna A. Koralewsky, 397 Talhot avenue, Ward 24.

Emily Vanwart, 1224 Blue Hill avenue, Ward 24.

Joseph I. Stewart, Blue Hill avenue, corner Wilcox street, Ward 24.

George W. Williams, 29 Wrentham street, Ward 24.

Max Shoolman, Beach and Freeport streets, Ward 24 (southwest corner).

David O. Felt, 395 Talbot avenue, Ward 24.

P. O'Hearn, 46, 50, 54, 58 Neponset avenue, Ward 24.

Norman Clark, 49–51 Withington street and 29–31 Torrey street, Ward 24.
Jacob Muller, 393 Talbot avenue, Ward 24.
P. Bowen, 10 Dix street, Ward 24.

Public Lands.

Charles S. Rackemann, trustee, for release of restrictions in certain lots on Providence and Boylston streets.

STREET LIGHTING OF BOSTON.

A communication was received from A. A. Rothenberg on the matter of street lighting for the City of Boston.
Referred to the Executive Committee.
A communication was received from R. Momand concerning street lighting in the City of Boston.
Referred to the Executive Committee.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted constables bonds, viz.:
Herbert F. Belt, George W. Brooker, John A. Buswell, Sherman H. Calderwood, Timothy J. Callahan, Raphael Camelio, William W. K. Campbell, Michael Cangiano, Daniel B. Carmody, George W. Crawford, William K. Coburn, George G. Drew, William L. Drohan, John A. Duggan, John A. Duggan, Jr., James Fraser, Harris Freidberg, James Graham, Sears H. Grant, George W. Green, Jeremiah J. Gilman, Otis H. Hayes, Edward L. Hopkins, Henry George Hoppe, Joseph Houghton, Walter Isidor, Parker N. Jenkins, William H. Kelly, Gusteen I. Kenerson, Edward J. Leary, William McCarthy, Frank L. Murphy, William I. Paine, George N. Parker, Benjamin F. Powell, James E. Powers, James H. Waugh.
Placed on file.

SIDEWALK SCHEDULES.

The Commissioner of Public Works submitted a sidewalk schedule of the cost of constructing sidewalks, with granite edgestones, in front of estates on Washington street, between Green street and the railroad, Ward 23—recommending the passage of the following:
Ordered, That the persons named in the schedule be and they hereby are charged and assessed with one-half the sums set to their respective names, as their proportional parts of the cost of constructing sidewalks on above named street, to the amount of $4,414.21, and the same is ordered to be certified and notice given to the parties aforesaid.
The order was passed.

STORAGE OF GASOLENE.

Communications were received from the following named parties that the following named locations were used for the storage of gasolene, etc., and of intention to continue such use for the ensuing year, viz.:
Boston Elevated Railway Company, 439 Albany street, Ward 9.
Boston Elevated Railway Company, Bartlett and Washington streets, Ward 21.
Boston Elevated Railway Company, 363 Dorchester avenue, Ward 15.
Boston Elevated Railway Company, 552 Harrison avenue, Ward 9.
Boston Elevated Railway Company, Sullivan square, Ward 4.
Perrin, Seamans & Co., 57 Oliver street, Ward 7.
J. T. Reed & Co., Tebbetts street, Ward 4.
Placed on file.

RAILWAY LOCATIONS.

Copies of orders were received from the Street Commissioners granting alterations of existing locations to the West End Street Railway Company, as follows:
On Centre street, Roxbury and West Roxbury district, from Amory street to South Huntington avenue, a relocation of the existing curved tracks.
On Guild row at Dudley street, a relocation of the easterly of the existing double tracks.
On Dudley street at west incline, at east incline and at Warren street, a relocation of the existing curved tracks.
On Eliot square, Roxbury district, a relocation of the existing curved track near Highland street.
Placed on file.

POLE LOCATIONS.

Copies of orders were received from the Wire Commissioner giving permission to the New England Telephone and Telegraph Company to erect poles on Lincoln and other streets, and on Greenmount and on other streets.
Placed on file.

PLAN OF LAND.

A plan and description was filed with the City Clerk of land in Brighton conveyed to the Boston & Albany Railroad Company.
Placed on file.

REMONSTRANCE FROM ST. ALPHONSUS ASSOCIATION.

A communication was received from the St. Alphonsus Association remonstrating against delay in expending appropriations for fire service and playgrounds in the Roxbury district.
Placed on file.

ORGANIZATION OF HOSPITAL TRUSTEES.

A communication was received from the Hospital Trustees that they had organized by the election of Mr. A Shuman as president and Conrad J. Rueter as secretary.
Placed on file.

APPOINTMENT OF OVERSEER OF THE POOR.

A communication was received certifying that Simon E. Hecht had been appointed Overseer of the Poor by the Mayor, and that a copy of said appointment was delivered to the Civil Service Commission on April 25.
Placed on file.

CONFIRMATION OF APPOINTMENTS.

Communications were received from the Civil Service Commission approving of the appointment of Joseph P. Manning as Hospital Trustee, Franklin P. Daly as Overseer of the Poor, and Nathaniel W. Emerson as Infirmary Trustee.
Placed on file.

DISCONTINUANCE OF FENWAY POST OFFICE.

The following was received:

United States Post Office, April 25, 1911.

To the City Council:

Gentlemen,— The Post Office Department, in acknowledging the receipt of the resolution adopted by the City Council at the session of April 17, 1911, protesting against the proposed discontinuance of the Fenway Station of the Post Office of Boston, has expressed its desire that the Council be informed for the department's action in this matter.

The proposed step is taken not only in the interest of economy (the change will result in the saving of $15,000 a year in the cost of the postal service) but also for the reason that mail for the Fenway district can be more expeditiously delivered from the Back Bay Station, as at the present time all mail for the station to be discontinued is first sent to Back Bay Station through pneumatic tubes and from there transferred to Fenway Station by car or wagon service, thus causing an extra handling of the mail and delay in its delivery.

It is the purpose of the department that a numbered station with facilities for the transaction of money order and registry business and the sale of postal supplies be established in the vicinity of the station to be discontinued, so that persons residing in that section of Boston will not be deprived of the postal advantages they are now enjoying.

The Council will undoubtedly be interested to learn that it is not the intention of the Post Office Department to discontinue the Fenway Station until the close of business April 30, 1912.

Respectfully,
E. C. MANSFIELD, Postmaster.

Placed on file.

CITY INSURANCE FUND.

The following was received:

City of Boston,
Law Department, April 27, 1911.

The Honorable the City Council,
City Hall, Boston:

Gentlemen,— My opinion is requested as to whether the city may set aside a yearly appropriation as an insurance fund against loss on public buildings by fire without the necessity of going to the Legislature for authority.

Under the charter as it now exists all appropriations other than for school purposes must originate with the Mayor. If he should so recommend, the City Council could pass a vote making an appropriation for fire insurance on public buildings, but such an appropriation would not be a continuing one as the city government of this year can only appropriate from the revenue of this year.

If the City Council desires to insure the public buildings by providing that each year there should be paid from the revenues of the city a sum equal to the premium charged by fire insurance companies, such fund to be kept separate and distinct from other funds of the city and to be used to rebuild or repair public buildings which are damaged or destroyed by fire, legislative authority must be given before the revenues of the city from taxation and other sources can be so used.

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

Placed on file.

APPOINTMENT OF F. J. GLENN.

The following was received:

Office of the Civil Service Commission,
April 27, 1911.

To the City Council,
Boston, Mass.:

Dear Sirs,— Referring to the appointment of Frederick J. Glenn as assistant in the City Messenger's office, I have to say that this matter has received the consideration of the Civil Service Commissioners, who are of the opinion that the position held by Mr. Glenn is within the classified civil service and therefore his appointment to said position without certification by the commission is illegal and cannot be allowed.

If you wish to fill the position you should make requisition upon the commission in accordance with civil service rules and I inclose a blank for that purpose.

Very truly yours,
WARREN P. DUDLEY, Secretary.

Referred to the Executive Committee.

LIGHTING OF STREETS.

The following was received:

Boston Finance Commission,
410–416 Tremont Building,
Boston, April 29, 1911.

To the Honorable the Mayor and City Council:

Gentlemen,—The Finance Commission respectfully submits the following report upon certain proposals for lighting the streets with gas or furnishing lighting equipment, made in response to the Commissioner of Public Works' advertisement for bids, dated February 11, 1911.

1. Bids for Lighting the Streets for a Period of Ten Years.

The notice to bidders called for the furnishing, maintaining and operating of approximately 11,000 gas lamps on either of the following plans:

(*a*) Lamps to be lit and extinguished either in whole or in part by hand, or by any automatic device the contractor may install.

(*b*) Lamps to be lit and extinguished by hand, with a provision for the installation at some future time of automatic devices for lighting and extinguishing lamps in whole or in part.

The bids were opened on Saturday, March 4, 1911. Only one bid was received, that of the Rising Sun Street Lighting Company, the concern which has received various street lighting contracts from the city for the past twenty-three years, including the gas lighting contracts of the last twelve years. The company bid $22.30 per lamp per year, under the provisions of the second plan (Article *b*) of the notice to bidders, which gives the company the choice of lighting and extinguishing the lamps by hand or by automatic devices, subject, however, to the provisions of Article 3 of the specifications (a copy of which is hereto annexed and marked Appendix A), in which it is provided that the city may request the contractor to install automatic devices and, if the contractor declines, the question of installation shall be finally determined by three experts, one to be chosen by each party to the contract, and the third by the two experts thus chosen. Article 3 also provides that if such devices are installed the cost of installation, including interest and sinking fund charges, shall be computed upon the basis of the number of years the contract has to run beyond the date when the installation is completed; and after the payment of said interest and sinking fund charges, the saving effected by the use of such devices shall be divided equally between the city and the contractor.

In considering the advisability of accepting the offer of the Rising Sun Street Lighting Company, it will be necessary first to estimate the reasonable cost to the company of executing the contract in the event of the maintenance of the present system of upright mantle lamps, lighted and extinguished by hand, and also to consider in that connection the Lamplighters' Union's estimate of the cost of maintaining such a system. It will then be necessary to consider the cost to the city in the event of the Rising Sun Street Lighting Company's installing automatic devices and also to consider in that connection the informal offer which was made by the Pressure Lighting Company for the maintenance and operation of a similar system. Finally, it will be necessary to consider the advisability of the city's purchase, installation and operation of a lighting plant equipped with automatic devices.

2. Hand Lighting System.

A. Estimated Cost to the Rising Sun Company.

Mr. Guy C. Emerson, engineer for the Finance Commission, estimates that the probable cost to the Rising Sun Company will be $21.69 per lamp year, including interest at 4½ per cent on $50,000, which he considers to be the fair value of the company's present upright mantle lamp equipment. This estimate of $21.69 does not include an allowance for penalties which may be deducted for failure to maintain the required candle power; and, as there are more effective provisions in the new contract for securing the prescribed candle power than the former contract contained, it is likely that greater penalties will be imposed hereafter, and therefore a substantial allowance will have to be made in excess of the estimate of $21.69. The existing contract provides penalties for the failure to maintain the lamps at 60 candle power, but the police officers who make the reports report only those cases where the lights have gone out, as they have neither authority nor means to test a lamp which has become dim, and consequently many of the lamps have been maintained at from 30 to 50 instead of 60 candle power. Under the proposed contract, however, there are penalties both for lights which have gone out and for lights which have become dim, and the lamps may be tested by experts employed by the Department of Public Works. There is every reason to expect that the city will be able to compel the contractor to maintain lights of 60 candle power and that the penalties exacted will be far greater in number and amount than those which have been imposed heretofore. It is not improbable, therefore, that making allowances for penalties the cost to the company will be $21.90 per lamp year.

The commission's engineer has made no estimate of the cost to the Rising Sun Company for maintaining and operating an inverted mantle lamp system as the company does not intend to install such a system.

B. The Estimates of the Lamplighters' Union.

The Lamplighters' Union has furnished two estimates of the expense which the city would incur in installing its own plant and maintaining and

operating it by city labor, the first applying to the upright mantle lamp system, the second to inverted mantle lamps. The union's estimate of the cost to the city of installing and maintaining the upright lamp system is $20.58 per lamp year, and $20.44 per lamp year for the inverted lamp system. If the union's estimates are correct, either of the plans it suggests would be more advantageous to the city than the offer of the Rising Sun Street Lighting Company for maintaining the existing system on a hand-lighting basis ($22.30). The commission believes, however, that the union's estimates are inaccurate in several particulars and below the actual amount the city would have to expend for the operation of either system.

The estimates of the commission's engineer and of the Lamplighters' Union are set forth in detail in an appendix hereto, marked "B." The commission's engineer has made a critical analysis of the estimates of the Lamplighters' Union, which will be found in an appendix hereto annexed, marked "C."

If the city should decide to maintain the present system of upright mantle lamps, without automatic devices for lighting and extinguishing, it would be advisable to accept the present offer of the Rising Sun Company, as the cost of municipal operation under such a system would be greater than the company's offer, and, furthermore, because at the present time no immediate prospect appears of finding any other company which will install a new plant and perform the services at a rate as low as that which the Rising Sun Company is able to offer on account of its having a plant already installed.

If the city should decide to purchase and install inverted mantle lamps without automatic devices, such a system could be maintained at a cost lower than the Rising Sun Company's offer of $22.30, if that company should not use automatic lighting devices in connection with its system. But the Rising Sun Company will, in all probability, use automatic lighting devices, and their use will bring the cost to the city below the point at which the city could maintain its own hand-lighting system with either upright or inverted mantle lamps. The city cannot afford to continue the hand-lighting system as it would be able, either by availing itself of the Rising Sun Company's offer to maintain its system with automatic lighting devices or by municipal ownership and operation of a plant equipped with automatic devices, to secure light at a cost below the lowest estimate for the hand-lighting system with either upright or inverted mantle lamps.

3. The Automatic Lighting System.

A. The Rising Sun Company's Offer.

If the bid of the Rising Sun Company is accepted it may, either upon the request of the city or as the result of a decision of the board of experts, install automatic lighting and extinguishing devices in connection with its lighting system; and in either case the net saving effected by the use of such devices will be divided equally between the city and the company.

The estimate made by the commission's engineer of the cost to the company of maintaining its system by hand lighting shows a very small margin of profit for the company, to wit, 61 cents per lamp year, not including deductions for penalties. Unless the company increases the extent of the lamplighters' routes or reduces their pay, neither of which seems practicable, the company's profit will be so small as to afford little inducement for the continuance of the work, and in order to make a reasonable profit it will be obliged to install an automatic lighting device as soon as one is found which is efficient in operation and can be obtained at a reasonable price. But, as already stated, if the company should not voluntarily install automatic lighting devices, there are means provided in the contract for installing them against the company's will. At all events, the commission believes that the acceptance of the company's offer will give a practical assurance that automatic lighting devices will be installed soon after the award of the contract, and in this event the bid of the company ($22.30) will be substantially reduced, the reduction being larger or smaller according as the device is installed at an early or at a late period of the life of the contract. The following table shows the net saving which the commission's engineer estimates will be effected by the use of an automatic device in any one of the first eight years of the contract. No saving could be made in the ninth or tenth year, as the time which the contract would then have to run would be so short, and consequently the interest and sinking fund charges would be so large, as to preclude the possibility of a saving at such a late date. It would be certain, therefore, that the devices would not be installed after the eighth year.

TABLE SHOWING SAVING TO CITY BY INSTALLATION OF AUTOMATIC LIGHTERS UNDER BID OF THE RISING SUN STREET LIGHTING COMPANY. (ESTIMATED NUMBER OF LAMPS, 11,000.)

Saving over Price for Hand Lighting to be Divided Equally between City and Contractor.

Year of Contract.	Contract Price Hand Lighting.	Charges for Automatic Lighters.			Saving per Year in Operating Cost.	Operating Charges Under New System.	Contract Price of $22.30, Less Operating Charges Under New System.	Saving to City, Lamp Year.	Price to City, Lamp Year.	Total Saving to City for Balance of Term of Contract.
		Sinking Fund Charges.	Interest, 4½ per cent.	Total.						
1.....	$22 30	$0 972	$0 518	$23 79	$4 75	$19 04	$3 26	$1 63	$20 67	$1,793 00
2.....	22 30	1 098	518	23 91	4 75	19 16	3 14	1 57	20 73	1,554 30
3.....	22 30	1 254	518	24 07	4 75	19 32	2 98	1 49	20 81	1,311 20
4.....	22 30	1 456	518	24 27	4 75	19 52	2 78	1 39	20 91	1,070 30
5.....	22 30	1 724	518	24 54	4 75	19 79	2 51	1 26	21 04	831 60
6.....	22 30	2 100	518	24 92	4 75	20 17	2 13	1 06	21 24	583 00
7.....	22 30	2 568	518	25 39	4 75	20 64	1 66	83	21 47	365 20
8.....	22 30	3 612	518	26 43	4 75	21 68	62	31	21 99	102 30
9.....	22 30	5 500	518	28 32	4 75	23 57	.....	.....	22 30	.....
10.....	22 30	11 162	518	33 98	4 75	29 23	.....	.....	22 30	.....

The estimate of the saving in eacb year is based on the assumption that the automatic devices shall have been installed for the entire system before the beginning of the year in which the saving is shown in the above table. It is hardly possible tbat the devices would be installed before the new contract begins to run, August 1, 1911. If they are not so installed the cost in the first year would be in excess of the $20.67 shown in the above table.

B. The Pressure Ligbting Company's Offer.

The Pressure Lighting Company, in response to tbe advertisement for bids for equipment, offered to furnish and install upright lamps with automatic lighting devices for $16.50 plus $1 a year royalty for each of the ten years of the contract, in other words, for $26.50 per lamp, tbe lamps and automatic devices to become the property of the city at the end of ten ycars, when the royalty payments shall have been completed. If this offer were accepted the city would have to light and extinguisb the lamps and care for them at its own expense.

Shortly after this bid was submitted, and after tbe time for opening the bids had expired, the Pressure Lighting Company made an informal offer to maintain and operate the lamps and automatic devices for $19.30 per lamp year, the offcr being based, however, upon the understanding that the city would purchase the lamps and automatic lighting devices from the Pressure Lighting Company at a cost of $16.50 for each such lamp and device.

To the company's offer, $19.30, for operating the system there should be added, therefore, the interest and sinking fund charges on the cost of tbe lamps and automatic devices, namely, $1.99 per lamp year, making a total of $21.29 per lamp year, or a saving as compared with the Rising Sun Company's hand lighting rate of $1.01 per lamp per year. This gives a gross saving for the ten years of $111,100, as compared witb the Rising Sun Company's hand lighting rate. Turning to the last column of the table above, wbere the savings to be effected over the hand lighting rate by the adoption of automatic lighting devices are given, it will be seen that the saving under the Pressure Lighting Company's offer would be greater than that effected by the adoption of automatic lighting by the Rising Sun Company in any year after the beginning of the third, but less than that effected if automatic lighting devices are installed by the Rising Sun Company before the beginning of the third year of the contract. In otber words, if the Rising Sun Company's bid is accepted and automatic lighting adopted in either of the first two years, it will be cheaper for the city tban under the Pressure Ligbting Company's bid, but more expensive to tbe city if the installation of automatic lighting is delayed longer than two years after the beginning of the contract.

It should be noted tbat the city at the end of the contract period would own the lamps furnished by the Pressure Lighting Company, but would not own the lamps furnished by the Rising Sun Company. If tbe Rising Sun Company's bid should be accepted, the company would own the lamps at the end of the contract period, and the city would own the automatic lighting devices whicb the company had installed. If the Pressure Lighting Company's offer should be accepted, the city would own both the lamps and thc automatic lighting devices at tbe end of the contract period.

C. Respectivc Advantages of the Two Offers.

There are many elements to be considered in weighing the respective advantages of these two offers. For example, it cannot be known in advance how soon the Rising Sun Company would install automatic lighting devices; nor, on tbe other band, is it certain that the Pressure Lighting Company would undertake the work of operating the lighting system even if it were awarded the contract on its informal offer, as the offer was not accompanied by a certified check, and the city has no guaranty of the financial responsibility of the company. The Rising Sun Company made its bid in good faith, within the time specified in the public advertisement, and accompanied the bid with a certified check for $5,000 as a guaranty of its willingness and ability to perform the contract. There can be no doubt as to its financial responsibility. If the case is to be decided upon a comparison of the advantages of closing a contract with one or the other of these two companies, some consideration should be given to the fact that the bid of thc Rising Sun Company was made in the regular way, while the offer of the Pressure Lighting Company was irregular. Some consideration may well be given to this fact for the sake of the city's reputation for fair treatment of bidders and observance of its published rules, a reputation which can be made a valuable business asset. Tbe known responsibility of the Rising Sun Company and the lack of knowledge concerning the financial status of the Pressure Lighting Company should also be considered; and another factor which, in the opinion of the commission, should be considered as favorable to the Rising Sun Company is that it would assume the entire risk of loss due to defective automatic devices, whereas, the city would have to assume the entire loss due to defective automatic devices if it accepted the offer of the Pressure Lighting Company. These three factors seem to be decisive in favor of the Rising Sun Company as against the Pressure Lighting Company.

4. Contract, or Municipal Ownership and Operation.

A. The Narrow Field of Competition.

The hope of inducing the Consolidated Gas Company, wbich furnishes the gas, to furnish the lighting equipment also, and to operate the system at a low figure, thus eliminating the middleman, has departed, as the company, for raesons of its own, has definitely declined to perform this service.

The city is therefore left to choose between the plan of owning and operating its own gas lighting equipment or accepting the bid of the Rising Sun Company. If the company should install automatic devices in either of the first two years of tbe contract, the average price for the ten-year term of the contract would be lower than any price the Rising Sun Company or any other responsible company has ever before offered to the city; even lower than the cost to the city under the terms of the offer made by the Boston Consolidated Gas Company, on June 23, 1909, namely $20.51, plus the cost to the city of installing lamps at its own expense. It is considerably lower than the price ($22.31), for which the Edison Electric Illuminating Company will furnish incandescent lamps. In the opinion of tbe commission it is lower than any other street lighting company can afford to offer, as sucb a company would have to make a large capital investment for lamps, whereas the Rising Sun Company has its lamps installed and its capital investment has already been returned to it in earnings from its previous contracts with tbe city.

B. Relative Illuminating Power of Uprigbt and Inverted Mantle Lamps.

The proposed contract, as already stated, provides more effective means for testing the lights, and enforcing penalties for failure to maintain them at 60 candle power, than the previous contracts provided. Inverted mantle lamps will give the required illumination, but upright mantle lamps will not unless reflectors are used and mantles are more frequently renewed than formerly. Even then, in the opinion of the commission, the upright lamps will not give as much illumination as inverted lamps would furnish. In weighing the respective merits of municipal operation under a system of inverted mantle lamps and the Rising Sun Company's system of upright mantle lamps, some allowance should be made for the superior illumination furnished by the inverted lamps. The use of inverted lamps by the Rising Sun Company, would require the removal of its upright lamps with accompanying loss, and involve a new expenditure of capital; and its representative has stated definitely that the company will not furnisb inverted lamps.

C. Tbe Principal Question Involved.

The main question to be decided by the Mayor and City Council is whether the city shall take half the net savings due to the use of automatic lighting devices installed at the expense and risk of the Rising Sun Company, or seek to obtain all the savings due to tbe use of such devices by installing them at its own expense and taking the risk of their failure to operate satisfactorily.

D. Tbe Capital Expenditure and the Estimated Savings.

The city would have to expend about $181,000 for inverted mantle lamps and from $88,000 to $132,000 for automatic devices, according to tbe type of automatic device selected; in other words, from $269,000 to $313,000. The commission's engineer has estimated the cost to the city of

maintaining the inverted lamps and automatic devices through the use of its own labor force at $18.98 per lamp year. This includes interest and sinking fund charges computed on a ten-year hasis. As a result of this system the city will have better light, will pay for its plant during the ten years, and should save a considerahle sum hesides.

It is not expected that the Rising Sun Company or the city would be able to complete the installation of automatic devices earlier than one year after the heginning of the contract. The following comparative costs are figured upon that hasis. The average cost to the city, through the operation of its own system, for the ten years heginning August 1, 1911, would be $19.44 per lamp year. This assumes that in the year during which the city installs the automatic lighting devices it will pay $23.60 per lamp year for lighting, and for the remaining nine years after the installation has been completed $18.98 per lamp year. If the Rising Sun Company receives the contract and installs the automatic lighting devices in the first year the cost to the city would be $22.30 for the first year and $20.67 for each of the nine succeeding years, or an average of $20.83 per lamp year. In other words, the cost under municipal operation would he $1.39 less per year, or $152,900 less during the ten years even on the most favorable assumption to the Rising Sun Company. It is to he noted, however, that the contract does not give the Rising Sun Company the right to install automatic lighting devices on its own initiative, but compels it to ohtain the consent of the city, or if the city does not consent, to ohtain a decision of the hoard of experts requiring the installation. If through any cause the company did not install the automatic lighting devices, in that event the cost to the city would be $22.30 per lamp year for the entire ten years, or $2.86 more than the cost to the city under municipal operation of the lighting system. This would he an excess cost to the city of $314,600 in ten years.

Part of the great saving thus effected hy the city's operation of its own plant, as compared with the price it would have to pay the Rising Sun Company, will be due to the use hy the city of inverted mantle lamps which are cheaper to maintain than upright mantle lamps, such as the Rising Sun Company maintains; part will he due to the fact that only one supervisory force will he necessary, whereas two such forces would he required if the Rising Sun Company had the contract; part will he due to the taking hy the city of the profit of the middleman, exclusive of the saving hy automatic devices; and the greatest part will be due to the fact that the city will take all the savings effected hy the use of automatic devices instead of dividing them equally with the Rising Sun Company.

E. The Risks Involved.

In the opinion of the commission's engineer, there will be no danger of the total failure of automatic devices, nor even of such partial failure as to make it necessary for the city to consider returning to the hand-lighting system. The only risk would lie in making an investment in a particular device which might either be improved upon or excelled by another device invented at a later period. Such automatic devices must in any event be more economical than lighting hy hand, as an efficiency of hetween 95 per cent to 100 per cent has been shown hy tests of the present devices in this city and it is inconceivable that any superior device can he invented which could profitahly he substituted within the period of the contract. In some cases hetween 99 and 100 per cent of efficiency has heen reached, the highest known to the commission heing 99.76 per cent. The city would therefore take practically no risk in purchasing automatic devices; and it would take no appreciable risk in purchasing the inverted mantle lamps in connection with which automatic lighting devices would be used. There is no doubt that inverted mantle lamps would work well and give superior illumination to upright mantle lamps.

Practically the only risk which the city would take would be in operating its lighting system with its own labor force, which may prove inefficient and would therefore entail unnecessary expense. Thus, if the force should be increased unnecessarily, or those members of the present contractor's lamp lighting force who would not be needed for lamp lighting should be given positions in other city departments, created for them but not necessary in fact, at least part of the saving effected by the use of automatic lighting devices would disappear. In this event the cost to the city might he greater than it would have heen under the contract with the Rising Sun Company, provided that company had used automatic lighting devices.

If the situation were the same now as it was when the commission recommended the purchase hy the city of its own lighting equipment and its operation hy city lahor, the commission would renew such recommendations without hesitation. (See F. C. Rep., Vol. 6, pp. 71, 102). But the situation is entirely different now. The Rising Sun Company's price then was $23.60 per lamp year, or ahout $2.77 per lamp year more than the average price the city will have to pay if the company should install automatic devices in the first year of the proposed contract; in other words, the city would pay in the ten years under the new contract about $300,000 less than it would have to pay if the former rate prevailed. Moreover, the city will be hetter lighted than formerly as a result of the more stringent provisions for maintaining the lamps at 60 candle power.

The city could afford to encounter the dangers of municipal ownership and operation at the time the commission made the recommendations ahove referred to hetter than it can now, because the Rising Sun Company's price was then so high that the city would have been warranted in taking considerahle risk in order to obtain relief from an excessive hurden. That burden will be so greatly reduced, if the proposed contract with the Rising Sun Company works as favorably as it is expected to, that there is not nearly the same inducement for taking the risk of municipal ownership and operation as there was formerly.

The possible saving under municipal ownership and operation, however, of about $150,000 in ten years over the lowest anticipated cost under the proposed contract with the Rising Sun Company, plus the value of the lamps at the expiration of ten years, offers considerable inducement to the city for assuming the risk of inefficiency in its labor force and the padding of the payrolls. The automatic devices, as already noted, would he the property of the city, either in the event of the city installing its own plant, or in case of making the contract with the Rising Sun Company.

The risk of loss due to inefficiency in the lahor force is not so great as it would be in some other branches of the city's service, as there are more effective means of checking up the work of every employee engaged in the street lighting service than there are in most other kinds of municipal service, and therefore waste could more easily he prevented. Moreover, the possibility of padding the street lighting pay rolls would not be great, as the amount of work each employee should perform could be easily calculated. The maximum numher of lamplighters required under the present hand-lighting system is 128; and not over fifty of them would be required under the automatic lighting system for cleaning and repairing lamps and doing inspection duty. If an attempt were made to employ a number in excess of fifty, it would be such a flagrant waste of the city's money as to constitute a clear case for puhlic criticism.

Conclusion.

In view of the many factors involved in the problem, of the uncertainty of the final result of the experiment of municipal ownership and operation of a street lighting plant, and of the fact that the Rising Sun Company's offer is as low as could he reasonably expected from a company which intends to make a profit, the commission regards the company's offer with considerable favor; hut it helieves that the prohabilities of success in this particular experiment in municipal operation outweigh the chances of partial failure in the automatic devices or of inefficiency in the small labor force required. Therefore, viewing the matter merely from a financial standpoint, the commission recommends the purchase by the city of a complete equipment of inverted mantle lamps with automatic devices and the operation of the plant hy its own force.

Respectfully suhmitted,

THE FINANCE COMMISSION,
hy JOHN A. SULLIVAN,
Chairman.

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APPENDIX A.

It is hereby agreed hetween the parties that by joint consent this contract may be modified as follows: If during the term hereof any automatic device for lighting and extinguishing said incandes-

cent mantle lamps proves to the satisfaction of both parties hereto (*a*) to be obtainable, (*b*) to be practical in operation, (*c*) to reduce the cost of maintaining said lamps, then and in that event the contractor shall install such device on all or part of said lamps, when said device can be practically operated, at his own cost and expense, and will rebate the price paid by the city for each lamp hereunder a sum equal to 50 per cent of the net saving caused by the use of said device. The installation of such devices on each gas lamp in the service shall be completed within six months after the date on which the parties herein agree that said devices shall be installed. The cost of such installation, including the interest and sinking fund charges, computed upon the basis of the number of years the contract has to run beyond the date when the installation is completed, shall be ascertained and agreed upon; said cost shall then be divided by the total number of such devices installed in order to ascertain the cost of each such device. The saving per lamp year effected by the use of such devices shall be ascertained and agreed upon by the parties herein, and the cost per lamp year of such devices shall be deducted from the saving per lamp year thus ascertained, and shall be regarded as the net saving resulting from the use of such devices. The share of the net saving due the city shall be deducted from the contract price per lamp year.

All such devices as have been installed pursuant to these provisions shall become the property of the city upon the expiration of this contract.

In case of dispute as to the amount of net saving, the books of the contractor shall be audited by a certified public accountant to be chosen by the parties, whose report as to the amount of the net saving shall be accepted as final, conclusive and binding upon both parties, except as such accounts may be incorrect or evasive of the complete facts. If the parties cannot agree as to who shall audit the books of the contractor, the Commissioner of Public Works and a representative of the contractor shall select a third person to act with them in the selection of a certified public accountant to make the said audit, and the person chosen by the three persons aforesaid shall be accepted by the city and the contractor.

In case of disagreement between the City of Boston and the contractor as to the advisability of installing said device, such differences shall be determined and adjusted by three experts, one to be chosen by each party and the third by these two, and their decision shall be final and conclusive on both parties.

APPENDIX B.

Estimate of Lamplighters' Union.

Cost of ownership and operation (including charges for purchase, interest, maintenance and depreciation) of a municipal lighting plant.

	Per Lamp Year.
Labor on a basis of $2.25 per day, 90 lamps to route	$9 13
Gas (78 cents per thousand feet)	9 30
Globes ($9 per dozen) one-third of globe	25
Domes ($6 per dozen) one-fifth of dome	10
Chimneys (72 cents per dozen) two and one-half	15
Ventilators (26 at 85 cents each)	02
Mantles ($90 per thousand) four and one-half	40
Burners (245 at $225 per hundred)	05
Maintenance of repair shop, $6,000 per year	54
Cost of operation and maintenance of lamps	$19 94
Purchase for plant of 11,000 lamps at $11.50 each, installed, $126,500.00.	
Interest on purchase of bonds at 4 per cent ($5,060)	46
Depreciation of plant, $2,000 per year	18
Total cost of ownership, maintenance, operation and depreciation	$20 58
Lowest bid submitted to city for street lighting	22 30
Saving to city by establishment of municipal lighting plant	$1 72
Saving to city in one year by establishing municipal lighting plant	$18,920 00
Saving to city in ten years, the life of proposed contract, by establishing a municipal lighting plant	$189,200 00
Deducting cost of plant	126,500 00
Leaving to the city at end of contract term a complete lighting plant free from all debt, and a surplus of cash amounting to	$62,700 00

Estimate of Guy C. Emerson.

For cost of operating a municipal lighting plant of 11,000 upright mantle lamps, with wages at $2.25 per day and 90 lamps per lamplighter; cost of lamps, $9.50 each, installed complete; gas charges estimated on basis of 12,000 cubic feet of gas per lamp year.

	Per Lamp Year.
Gas	$9 470
Labor	9 110
Repairs and renewals	2 070
Salaries and wages in addition to present pay roll, exclusive of lamplighters	350
Interest on stock on hand, $5,000 at 3½ per cent, $175 per year	016
Lanterns, torches, alcohol, etc	050
Liability insurance	082
Fire insurance	033
Office supplies in addition to present cost, $110 per year	010
Allowance for loss of rent of shop	110
Laboratory expenses, $200 per year	018
Removal of lamps	010
Teaming in addition to present equipment	120
Broken lamps and posts	036
Maintenance and operating charges	$21 485
Interest and sinking fund charges on ten-year basis	1 140
Total yearly cost	$22 640
For operating costs of such plant with automatic lighters, deduct estimated saving	3 350
Total cost with automatic lighters	$19 290

Estimate of Lamplighters' Union.

Cost to the City of Boston to install, maintain and operate 11,000 single mantle, inverted burner street lamps.

	Per Lamp Year.
Globes, one-half	$0 25
Chimneys, one-quarter	02
Mantles, one and one-quarter	10
Maintenance of repair shop, $6,000 per year	54
Depreciation of plant, $2,200 per year	20
Interest on $185,000 expended in the purchase and installing of 11,000 inverted burner street lamps at $17 each, at 3 per cent, $5,500	51
Labor at rate of $2.25 per day, 100 lamps to route	8 21
Gas, 80 candle power	10 61
Total cost to install, operate and maintain	$20 44
Lowest bid offered to the city for its street lighting, which is for a lamp with upright burner giving 20 candle power less light than the lamp figured on in this estimate	22 30
Showing that the city will not only obtain a vastly superior light, but will also save	$1 86
Which means a saving to the city each year of	$20,460 00
Which in ten years, the term of proposed contract, would amount to	204,600 00
Enough to pay for entire plant and leave a surplus of	19,600 00

*Estimate of Guy C. Emerson.**

For cost of operating a municipal lighting plant of 11,000 inverted mantle lamps, with wages at $2.25 per day and 100 lamps per lamplighter; cost of lamps, $16.50 each, installed complete; gas charges estimated on basis of 12,000 cubic feet of gas per lamp year.

	Per Lamp Year.
Gas, including pilot flame	$9 960
Labor	8 212
Repairs and renewals	870
Torches, ladders, oil, etc	050
Salaries and wages in addition to present pay roll, exclusive of lamplighters	350
Interest on stock on hand, $2,500 at 3½ per cent, $87.50 per year	008
Liability insurance	082
Fire insurance	033
Office supplies in addition to present cost, $110 per year	010
Allowance for loss of rent of shop	110
Laboratory expense, $200 per year	018
Removal of lamps	010
Teaming in addition to present equipment	120
Broken lamps and posts	036
Maintenance and operating charges	$19 869
Interest and sinking fund charges on ten-year basis	1 987
Total cost per lamp year	$21 856
For operating costs of such plant with automatic lighters, deduct estimated saving	2 880
Total cost with automatic lighters	$18 980

* It should be noted in connection with the above estimates that interest and sinking fund charges are estimated on a ten-year basis and that consideration should be given to the value of the plant at the end of that time. If interest and sinking fund charges are estimated on a fifteen-year basis, which may be fairly estimated as the time of the lamps becoming obsolete, the price estimated per lamp year in each case will be materially lower; in case of the upright mantle lamps 32 cents can be deducted, and in the case of the inverted mantle lamps, 44 cents.

APPENDIX C.

April 26, 1911.

To the Finance Commission:

Gentlemen,— I respectfully submit herewith the following criticisms of the estimates of the committee of the Lamplighters' Union for installing and operating under municipal control street lighting appliances with upright mantle burners and inverted mantle burners respectively. The criticisms, except as otherwise stated, apply to both of the estimates furnished by the Lamplighters' Union. Some of the inaccuracies in the estimates of the Lamplighters' Union are as follows:

The price of gas in the estimate for upright mantle lamps seems to be too low. It is not clear what basis was taken in calculating the probable amount of gas to be used, but whether an arbitrary amount of 12,000 feet per year was taken, or the actual amount burned at the rate of 3 cubic feet per hour for the schedule of 3,887 hours, the figures appear to be incorrect.

The estimate has also apparently neglected to allow for the fact that the price of gas is higher in East Boston and Charlestown than it is in the other parts of the city. The city will probably have to pay at the rate of 78 cents per thousand feet of gas furnished in all parts of the city, except East Boston and Charlestown; 85 cents in Charlestown and 90 cents in East Boston. There are 530 gas lamps in Charlestown and 555 in East Boston. As each lamp will consume about 12,000 feet of gas per year and the cost per thousand feet in Charlestown and East Boston is respectively 7 and 12 cents more than in other parts of the city, the cost per lamp year in Charlestown and East Boston respectively will be 84 cents and $1.54 per lamp year more than in other parts of the city, and this excess will raise the total cost to $9.47 per lamp year, or 11 cents above the estimated cost on the basis of 78 cent gas for the 11,000 lamps provided for in the contract.

The union has also based its estimate of labor cost upon the assumption that each lamplighter would cover a route containing 90 lamps. The lamplighters are able to cover a 90-lamp route for the present contract, but it is doubtful that they would do so if they were directly employed by the city. When they were directly employed by the city the average number of lamps per lamplighter's route was 84 and it is probable that they would not cover a larger route than they did formerly. On the basis of an 84-lamp route, the labor cost will be $9.77 per lamp year, or 64 cents more than their present estimate for upright mantle lamps, and $1.56 more than their estimate for inverted mantle lamps.

In my opinion the union has also underestimated the number of globes, domes, chimneys, mantles and burners required for efficient maintenance of the lamps on a 60 candle power basis in both estimates. To maintain the upright mantle lamps at the same low candle power as formerly, the equipment upon which the union furnished its

estimate might possihly be sufficient if extraordinary precautions were taken against waste, but if the lamps are maintained at 60 candle power or more, as the city's interests require, the amount of equipment estimated by the union would he entirely inadequate.

The union has also omitted to allow anything for the following items:

1. Painting lamps and posts.
2. Torches, ladders and cleaning materials.
3. Interest charges on stock on hand not in use.
4. Damages resulting from fire or accident.
5. Office charges in addition to present charges, including telephone, postage, stationery, blank forms of reports and office furniture.
6. Expense of maintaining a laboratory for testing lamps.
7. Cost of changing location of lamps.

The union has estimated $6,000 for the maintenance of the repair shop. A committee of the Lamplighters Union has informed me that this amount included salaries, rent and teaming. It is possihle under city control that the pay roll cost of maintaining the repair shop, including the services of a superintendent, two assistants, a clerk, a stock keeper and watchmen, would amount to approximately $6,000, an amount in excess of the actual needs, but prohahly no greater than what the city would expend if it undertook the management of the shop. There would also have to he an expenditure for tools and mechanical appliances. An amount of at least $1,300 per year ahould he included for teaming, and a hookkeeping charge of $1,200 per year for rent on account of the fact that under the present contract the city receives $1,200 per year for its shop from the Rising Sun Company.

The union also seems to have fallen into error in assuming that the depreciation charge for the lighting plant would he only $2,000 a year for upright mantle lamps, and only $2,200 for an inverted mantle equipment. The estimated cost of the plant with upright mantles is $126,500, and the depreciation charge of $2,000 per year seems to he hased upon the theory that the average life of a lamp is sixty-three years. No lamps of either type can fairly be expected to last one-half of this period, and, moreover, it is almost certain that the upright mantle type of lamp will he ohsolete in fifteen years, or less than one-fourth of that period.

The union, though making an allowance for interest on the honds sold to purchase the plants, has made no allowance for a sinking fund charge. In my opinion interest and sinking fund charges should hc hased upon the bonds issued for a term of fifteen years, the estimated life of the equipment. On this basis, with interest charges at 3½ per cent and sinking fund income at 3½ per cent, compounded semiannually, on an investment of $126,500, the annual sinking fund and interest charges would he approximately $11,550, or $1.05 per lamp year. The union's allowance, however, for both interest and depreciation charges for upright lamps amounts to only 64 cents per lamp year, or 41 cents less than would he required for interest and sinking funds. In estimating the actual cost of municipal operation, as contained in Appendix B, a ten-year period has been assumed as a hasis for calculating interest and sinking fund charges. On this basis the annual charges would he $1.28 per lamp year, or 64 cents more than the union's estimate. The value of the plant at the end of the ten-year period should be taken into consideration.

As regards the cost of an upright mantle lamp equipment, in my opinion the price of $11.50 estimated by the union is too high and a suitahle plant should not cost more than $9.50 per lamp.

The estimate of the Lamplighters' Union is so defective as to he of little value in making a comparison with the price offered by the Rising Sun Street Lighting Company.

Respectfully submitted,
GUY C. EMERSON,
Consulting Engineer.

MINORS' LICENSES.

President COLLINS suhmitted petitions for minors' licenses for thirteen newshoys, four hoothlacks and four vendors—recommending that said licenses be granted.

Reports accepted; said licenses granted on the usual conditions,

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up Nos. 1 and 2, unfinished husiness, viz.:

1. Action on appointments suhmitted by the Mayor April 24, of George A. Hagerty, Frank B. Skelton, Alexander J. Douglas and Charles F. Hale to be Constables of the City of Boston for the term of one year heginning the first day of May, 1911.
2. Action on appointments suhmitted by the Mayor April 24, of George B. Sullivan to be a Weigher of Coal, and Josiah M. Rankin to he a Weigher of Coal, a Measurer of Wood and Bark, a Measurer of Grain, a Weigher of Boilers and Heavy Machinery and a Weigher of Beef, severally for the term ending April 30, 1912.

The question came on confirmation. Committee, Coun. Buckley and Hale. Whole numher of ballots cast 6, yeas 6, an the appointments were confirmed.

LOAN FOR SEWERAGE WORKS.

President COLLINS called up No. 3, unfinished business, viz.:

3. Ordered, That the sum of two hundred and fifty thousand dollars ($250,000) he appropriated for the construction of sewerage works under the provisions of chapter 426 of the Acts of 1897, and chapter 204 of the Acts of 1908, and that to meet the said appropriation the City Treasurer he authorized to issue, from time to time, on the request of the Mayor, honds of the city to said amount.

On April 17 the foregoing order was read once and passed, yeas 7, nays 0.

The order was given its final reading and passed, yeas 6, nays 0.

CLAIMS.

Coun. BUCKLEY, for the Committee on Claims, suhmitted a report on petition of Peter McIntyre (referred April 17) for loss of hens killed hy dogs—recommending the passage of the following:

Ordered, That there be allowed and paid to Peter McIntyre the sum of four dollars ($4) in compensation for the loss of hens killed hy dogs January 19, 1911, said sum to be paid from the income from dog licenses.

Report accepted; order passed.

REPORT OF COMMITTEE ON BRANCH LIBRARIES.

Coun. ATTRIDGE, for the Committee on Branch Libraries, suhmitted the following:

City of Boston,
City Council, May 1, 1911.

The Special Committee of the City Council on Branch Libraries hegs leave to submit the following report:

The fifty-eighth annual report of the Board of Trustees of the Puhlic Library of the City of Boston for the year ending January 31, 1910, addressed to his Honor John F. Fitzgerald, Mayor, called attention to the need of hetter hranch huildings in various sections of our city and invited the attention of the City Council especially to the matter of hetter accommodations for some of our hranch libraries and reading room stations and expressed the hope that an examination of them would he made.

Nothing was done hy the city government during the year 1910 in regard to this matter and the fifty-ninth annual report of the Board of Trustees for the year ending January 31, 1911, again called attention to it. As a result of these two reports of the trustees a committee of three members of the City Council of 1911 was appointed, which committee has made an examination of the branch libraries and reading room stations and presents various recommendations herein contained to the City Council.

Boston has a most beautiful municipal central library huilding but its branch buildings and branch reading stations are uninviting and inadequate, and some sections of the city are without proper branch library facilities and accommodations. A general scheme or municipal plan for branch huildings in the various districts of the city should be

carefully evolved which when fully carried out would place Boston in the proud position of having the best equipped and most properly located and the best public serving library system in the United States; a library system which would comprise the central building and modern up-to-date district branches. The committee believes that it would be a wise expenditure of money if the city could and would provide $60,000 or $70,000 each year for the next ten years for the erection of modern branch buildings in the districts of the city in which the need is greatest. The branch libraries should be operated in separate, independent buildings which are devoted to no other use or uses but solely for library purposes and specially adapted therefor in order to properly provide for library work. This would be an improvement in our library system and accords with the views of the delegates to the International Congress of Archivists and Librarians, which congress was held at Brussels, August 28–31, 1910.

The North End District.

We are of the opinion that there should be a building for a new branch at a proper place in the North End of Boston and that money should be provided for this at once. Better library facilities appear to be absolutely necessary and it is for the good of the entire city that this should be done, bearing in mind the interests of all the people of Boston.

The present small and crowded rooms at the North End Industrial School are inadequate for library purposes and improperly supply the large and increasing population of children. There are many public schools in this district and a great number of pupils in attendance who could make good use of the books contained in a branch library.

In this connection we desire to say that there should be co-operation with the educational work of the schools and the closest relations should exist between the schools and the libraries, the libraries supplementing the work of the class room; and the location of the branch building should be in relation with the school as recommended by the Congress of Archivists and Librarians.

The Board of Trustees has investigated the matter of obtaining land and building for a branch at the North End and have reported that the city can purchase an estate now occupied by the Church of St. John, Baptist, on North Bennet street, comprising 4,980 feet of land with a substantial building thereon, for the assessed valuation of $38,000, and that the Board has taken an option to the city to purchase the estate at any time within ninety days from March 15, 1911, at the above price, which the trustees believe to be reasonable. The trustees also reported that the location was a proper one in their judgment and that the building can be remodeled for $38,000 for second class construction and for $42,000 for first class construction (the latter they recommend as better economy), and that $5,000 will be necessary for library fittings and furnishings, making a total of $85,000 to accomplish the purpose which they deem desirable.

The committee recommends that the suggestions of the trustees be adopted and that a loan of $85,000 be authorized for branch public library in the North End for land, building and equipment, and further recomends that the appropriate committee of the City Council make inquiry as to the value of the land and building, and also inquire of the architects as to the possibility or feasibility of reconstructing the present building.

Adjacent to or in the immediate vicinity of the estate which the trustees propose to acquire are the following named schools: Christopher Columbus, Eliot, Paul Revere, Hancock, Cushman, North Bennet Industrial and St. Anthony's.

Nearby this municipal center are branch post office, North End Playground, the municipal gymnasium, St. Stephen's Catholic Church and the Baptist Bethel.

The committee has been informed by Principal Assessor Edward B. Daily that it is his belief that this property is fairly assessed, and First Assistant Assessor Harry C. Byrne who made the assessment has written to Mr. Daily stating that he considers the property assessed about right to the best of his judgment.

East Boston District.

The need of a branch building in East Boston is very great because the work is carried on in rooms which are not suited for library purposes. The entrance to the branch is very uninviting and in fact dangerous. This is a crowded and busy branch in an unsatisfactory location. The lower floor of the building (the old Lyman School) is occupied by the East Boston District Court and part of the building is at present used as a school. Police Station 7 is directly opposite.

This branch serves Wards 1 and 2 and is the first branch library established by the city and opened in 1871, and occupies the same rooms to-day without any substantial alterations that it occupied in 1871, when established.

The committee believes that East Boston should be provided with a separate building centrally and suitably located as soon as the finances of the city will permit.

Charlestown District.

A new and more accessible location with a new building should replace the inconvenient branch located at the old Charlestown City Hall building, the quarters of which are inconvenient and not very pleasant.

There is an appropriation of $30,000 now available for land and building in the district but this sum is deemed insufficient by the library trustees.

The committee believes that Charlestown, like East Boston, should be provided with a new building for library purposes.

South Boston District.

The library in this section is in a reading room in leased premises above a bank, and there has been practically no change made in the quarters since 1872. This great section of the city requires an independent library building.

Cove District (so called).

This section of the city is served by the Broadway extension reading room, which is poorly located and has very bad accommodations.

The room now used will not accommodate more than sixty persons and is poorly ventilated and is subject to the noise made by the Boston Elevated Railway trains which pass overhead nearby.

The one small room serves both young and old and is very much used and frequented. This place should be abandoned as soon as possible. The trustees and the committee believe that a branch building is not necessary for library purposes in this district and agree that one large, well lighted, suitable room would be sufficient for the needs of this locality, and the trustees, we understand, would not object if a large room were provided in the proposed municipal building for Ward 7.

Other Districts.

Demands and requests have been received from citizens in other sections of the city, especially from the Germantown and Savin Hill districts, in addition to the districts noted above, and the trustees and the committee believe that it is inexpedient and impossible at this time to furnish additional library buildings and facilities.

Thanks of the Committee.

The committee desires to thank the Board of Trustees of the Boston Public Library for the kindness which was shown by them to the committee during examination and investigation of the branches and of the needs of the various sections of the city, and also to thank the librarian, Horace G. Wadlin, for his kindness and for information furnished, and we desire to compliment the trustees and the librarian because of the efficient and courteous employees in charge of the various branches and reading rooms.

Recommendations.

(1) General municipal plan or scheme of branch library buildings.

(2) Establish one branch each year for ten years if city finances will permit.

(3) Have independent, separate buildings as a rule for library uses solely.

(4) Provide money at once for new building at North End.

(5) Adopt suggestions of Board of Trustees and authorize loan of $85,000 for land, building and equipment.

(6) Provide buildings for East Boston, Charlestown and South Boston when feasible from financial standpoint.

(7) Abandon Broadway extension reading room and provide suitable reading room for Cove district, so called.

Respectfully submitted,

JOHN J. ATTRIDGE,
EARNEST E. SMITH,
TIMOTHY J. BUCKLEY.

Report accepted, and ordered printed as a city document, on motion of Coun. ATTRIDGE.

BRANCH LIBRARIES.

Coun. ATTRIDGE, for the Committee on Branch Libraries, submitted the following:

(1) Report on message of Mayor and communications (referred April 3), relative to new branch library at North End—recommending the passage of the following:

That the sum of eighty-five thousand dollars ($85,000) be appropriated, to be expended under the direction of the Library Trustees, for land, building and equipment of branch public library at North End, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Coun. ATTRIDGE—Mr. President, the Committee on Branch Libraries consists of Coun. Smith, Buckley and myself. At a meeting which was held last week it was decided to recommend that the suggestions of the Library Trustees be adopted, and that a loan of $85,000 be authorized for a branch public library building in the North End to care for the needs of the people of that particular district. The report submitted by this special committee states that the proper committee of the City Council, whether it be the Executive Committee or the Committee on Finance, should make an investigation as to the value of the property which the Library Trustees intend or propose to take for this branch public library building and that the proper committee also make inquiry of the architects who have been employed by the Library Trustees as to the feasibility of using the building which is proposed to be used by the Library Trustees, remodeling it for library purposes. I think the committee were of one accord in the recommendation that something should be done at once in the North End of Boston in the way of a branch public library building and the committee has recommended that this Council appropriate by loan $85,000 for this purpose. Some of the members of the Council may ask how that sum was arrived at. I might say that the Library Trustees after investigation have reported that $85,000 would be necessary for the land, building and equipment—$38,000 for the land, $42,000 for renovating the building which they have proposed to take, and $5,000 for the equipment of the library building. I trust, as a member of that committee, that the Committee on Finance, to which I trust and expect that this order for the loan will be referred, will in its judgment pass the order for this money—that is, if the committee believes, as the Library Committee believes, that this is necessary, taking into consideration the needs of the city as a whole, and I think this particular item for the branch public library building should be threshed out alone and on its merits, not in connection with any other loan item or loan order that might come before this Council. Again I repeat that I trust that the Committee on Finance will see the wisdom of appropriating this money this year for this purpose in the North End of Boston.

The order was referred under the rule to the Committee on Finance,

(2) Report on petition and order (referred April 10), that the library trustees consider the expediency of locating a branch library and reading room in the vicinity of Savin Hill avenue and Sydney street, Dorchester—that the order ought to pass.

Report accepted; order passed.

(3) Report on message of Mayor and communication (referred April 24), relative to the yearly rental of the Shawmut Avenue Branch Public Library the assessed value of the land and building, etc.,—that the same be placed on file.

Report accepted; communications and order placed on file.

MACADAMIZING OF SAXTON STREET.

Coun. BUCKLEY offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to macadamize Saxton street from Savin Hill avenue to Romsey street, Ward 20.

Passed.

PLAYGROUND FOR MATTAPAN.

Coun. BUCKLEY offered an order—That the Superintendent of Public Grounds be authorized to hire for playground purposes the Woodman Jones estate on River street, Mattapan; the expense not to exceed two hundred dollars to be charged to the appropriation for Public Grounds Department.

Coun. BUCKLEY—Mr. President, this order is introduced at the request of Representative Hart of Ward 24. He made the statement that this piece of land is hired every year by the Public Grounds Department for playground purposes in that section of the city. I don't know whether that is so or not, but he made that statement; and, of course, if that has been the case in the past it ought to be done this year. With that idea in mind I introduce the order.

The order was passed.

STREET IMPROVEMENTS, WARD 20.

President COLLINS offered an order—That the Commissioner of Public Works, through his Honor the Mayor, be requested to make the nesessary repairs in the sidewalks along both sides of Thane street, between Athelwold and Park streets, Ward 20.

Passed.

President COLLINS offered an order—That the Commissioner of Public Works be requested to provide the necessary street crossings at the following locations in Ward 20:

School and Harvard streets, at the Oliver Wendell Holmes School.

Glenway street, at Brenton street.

Glenway street, at Bradshaw street.

Glenway street, at Page avenue.

Passed.

President COLLINS offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Athelwold street, between Spencer and Millet streets, Ward 20, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, the work to be done under the provisions of chapter 437 of the Acts of 1893.

Passed.

TRANSFER OF LAND, WARD 21.

Coun. BALLANTYNE offered an order—That the care and custody of that strip of tree planted land lying on the east side of Elm Hill avenue, between Schuyler street and Seaver street, Ward 21, be transferred from the Public Works Department to the Superintendent of Public Grounds.

Referred to the Committee on Public Lands.

BUILDING OF "ZOO," ETC.

Coun. ATTRIDGE offered an order—That the Park Commissioners be requested, through his Honor the Mayor, to consider the advisability of employing the men in the Park Department for the erection of the buildings, etc., contemplated for the "Zoo" and Aquarium, if in their opinion the work could be done as cheaply and as well as by contract.

Coun. ATTRIDGE—Mr. President, this order asks the Mayor to request the Park Commissioners to consider the advisability of employing men in the Park Department in the erection of the buildings contemplated for the Zoo and Aquarium, if in the opinion of the Park Commission that work can be done as cheaply by the city itself as by contract labor. The City of Boston expends a great deal of money through its annual appropriations for the Park Department. Our last appropriation was $385,000. That is a great sum for the carrying on of one department of our city.

I do not say that the money is not well spent, that it is not judiciously spent. I make no statement as to whether the men in the Park Department are constantly employed or not. But it seems to me that this department might be able to compete with private contractors in doing its work—that is, in the erection of the proper buildings for the Zoo. We have in the Park Department about a dozen carpenters; we have plumbers and masons, machinists, painters and iron workers. I think most of those men are skilled in their own particular trades and lines, and it may be that the city itself can do this work and do it as cheaply as a private contractor. Some one may say that the City Council has no right to interfere with the work of any department. I think we have a right, as members of this Council, to appropriate money for the carrying on of the work of the department, and I think we have a right, as members of the Council who will pass upon the expenditure of the Parkman money — and I think I have a right as a member of the Committee on Parkman Fund— to suggest such an order as this. I believe that if the city can do this work as cheaply as a private contractor and if the city has the skilled labor that can do the work as well, the city should do it and not the contractor.

Coun. SMITH—Mr. President, may I inquire as to two things of Coun. Attridge—first, as to whether he intends to have additional labor put on, or whether this is simply to employ the present laborers during idle time?

Coun. ATTRIDGE—Did I understand you to say "during idle time"?

Coun. SMITH—Yes.

Coun. ATTRIDGE—I cannot say to the gentleman on the other side that the men in the Park Department have at present any idle time. The order simply calls upon the Park Commissioners to consider the advisability of this. If the men in the department at present have no idle time there is no doubt but what the Park Commissioners will notify his Honor to that effect and say that the Park Department cannot do the work. The Park Commissioners would have to decide, if they thought they could do the work, whether the men in the department at present could do it or whether it would be necessary to have more men. That would be something for them to say, and I think they probably would say it to the Mayor in a communication to him if such an order as this were passed.

Coun. SMITH—Mr. President, it seems to me that this would properly fall under the Building Department and not under the Park Department; that we as a Council have scarcely any right to interfere with the Park Department, asking them to construct these buildings in this way or to even consider the advisability of it. It is only a roundabout way of asking them to do it. It would properly come under another department of the city, and it seems to me better to leave it to that department, especially as it would necessitate taking on more men in the Park Department, and of course it is common knowledge that, a department having once taken on men, it is very hard to take them off. It would probably result in the permanent increase of the pay roll. For that reason it seems to me it would be better to leave it to the proper department and not to interfere with the carrying on of the Park Department, something which we properly have no right to do. We had better leave it to the Building Department; and a second reason why we had better leave it to them is that it would increase the pay roll of the Park Department, thereby tending to permanently increase the pay roll I hope the order will not pass.

Coun. ATTRIDGE—Mr. President, I would have no objection to an amendment of the order to read that the Mayor request the head of the Building Department and the Park Commissioners to consider the advisability of doing this work in this way. I do not believe that we are interfering in any way with the work of these departments. I believe we are here in the interests of the city as a whole, and I think that if we as members of the City Council can save the city any money in the erection of these buildings by asking the Mayor to suggest to the various heads of departments consideration of the advisability of those departments doing the work, we are not violating the law, and I do not believe we are interfering with the work or the management of the departments. That is my personal opinion.

Coun. BALLANTYNE—Mr. President, I don't see where the Building Department comes into this question of the building of the Zoo or the Aquarium. This money was appropriated to the Park Department for that purpose and the Building Department has nothing to do with the expenditure of that money. I don't think we have any right to request or to instruct the Park Department in any way in regard to the expenditure of that money. I am of the opinion that this work could probably be done as well and as economically by day labor as by contract, and if any word that may be spoken here by the members of the Council will induce the Park Department to follow out suggestions along that line, very well; but as for passing an order here requesting them to do either one thing or the other in the expenditure of that money I think it is entirely contrary to the spirit of the charter, and I for one hope that this order will not prevail.

The order was referred to the Executive Committee.

RECESS.

The Council voted, on motion of Coun. HALE, at 4.44 p. m., to take a recess subject to the call of the Chair. The members reassembled in the chamber and were called to order by President COLLINS at 5.54 p. m.

COURTHOUSE, SOUTH BOSTON.

Coun. ATTRIDGE offered an order—That the sum of sixty-five thousand dollars ($65,000) be appropriated, to be expended under the direction of the Superintendent of Public Buildings, for new courthouse in South Boston, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Coun. ATTRIDGE—Mr. President, in 1909 a special committee of the City Council to investigate the conditions of the accommodations for persons awaiting trial in various municipal court buildings made two reports and recommended that there be included in the loan bill of that year three sums of money for three distinct purposes—one sum for a new combination courthouse and police station in the Charlestown district, one sum for a new combination courthouse and police station in East Boston, and another sum for a new courthouse in South Boston. That committee, of which Mr. Hale was chairman and I was a member, reported as to the conditions which existed in the city. Money was authorized for a new courthouse and police station in East Boston, but that building for which the money was authorized and for which the loan was issued, as I understand, has never been erected because of the inability of the people of East Boston to decide as to a proper location for the building. But, while the money for East Boston has been authorized, nothing has been done by the city government in reference to either Charlestown or South Boston. As I say, the same conditions that existed two years ago in Charlestown and South Boston exist to-day. A few days ago my attention was called to the fact that his Honor Justice Fallon of the South Boston District Court called the attention of the Mayor to the condition of that courthouse, and I noticed that the article stated that the court building was not suitable, that it was not fit for human beings to use. Document 117 of the Board of Aldermen of 1909 states what the conditions are in South Boston and Charlestown. In my opinion something should be done by the city government to remedy the conditions which exist. I shall not take up the time of the Council now to tell what those conditions are. The conditions are exposed in those two reports. I trust that the Committee on Finance this year will consider these items for the Charlestown and South Boston districts, that these items will be considered as like the item for the North Bennet street public library building, on its merits and on its merits alone, without tacking these items to other items and making a big, gigantic loan bill. The needs of the entire city should be taken into consideration by the Committee on Finance when these items are before the committee. As I understand, $30,000 is available at the present time for a courthouse in South Boston. As a member of the committee which investigated the conditions there two years ago, I desire to say that something should be done in righting the wrongs which we have done as members of the city government to these two great districts of our city.

Coun. HALE—Mr. President, I simply want to say a word on this before it is referred, reiterating what Coun. Attridge has said as to the importance of this matter. I feel with him that the matter should not he put through to-day but should be referred to the Committee on Finance to he considered with a view to the interests of the city as a whole and with any other loans that are to be considered, acting upon such matters as in the judgment of the committee are most important. If we haven't money enough for this I think it should he postponed; but in my opinion we will find that the South Boston Courthouse is the most important improvemcnt needed in the city to-day, to be provided for by loan. That is only my personal opinion, but I shall do my best to convince other members of thc Committee on Finance that that is so. It interested me a great deal when I was in Montreal last week to read the leading editorial in the leading Montreal paper, the Montreal *Star*. As you know, I worked very hard on this courthouse matter two ycars ago with Coun. Attridge and we nearly got it through, hut it was very difficult to arouse public opinion on the matter because people were not interested in jails or whether inhuman conditions existed in them or not. But I fully helieve that during the next five years public opinion will he awakened here in Boston. The conditions we have in Boston are merely relics of the middle ages, and we ought to be ashamed to sit here and allow them to continue a single month more. It is not a question entirely of the money we can spend. Of course we have to take into consideration the city's financial needs; but anything that allows conditions such as we find here to exist is disgraceful and we ought to horrow money to put a stop to it. I would like to read this editorial from the Montreal *Star*. It is headed "Our Inhuman Jail," and is as follows:

"It will be Fehruary hefore there is any chance of the ncw jail being ready for occupancy, and there is only a chance of its being ready hy that time. Pending its completion, the unfortunates who are sentenced to terms of imprisonment varying from two weeks to two years"—you see there are long term men there, which makes it worse than ours in that particular—"will continue to serve out their time in the old Delorinier avenue building where, in addition to close confinement, they incur all the added punishments which come from overcrowding, from a lack of anything approaching proper sanitary arrangements, from the ahsence of ventilation, and from the presence everywhere of a swarm of vermin. None of these extra punishments are prescribed by law; in passing sentence, a magistrate does not enumerate them. It is only charitable to hope that he knows littlc ahout them, or that, knowing a little, he thinks of them as seldom as possihle."

Now, this is the important part, and it shows that Coun. Attridge's and my attitude on this is not one only of humanity to the prisoners. We do not care in the least about having shower baths for them and plush lined seats. It is not because we wish to make things comfortable for them, but in hehalf of the community as a whole that we want proper action taken; and I think the last part of this editorial which I am now going to read will make that point clear:

"As a matter of fact, confinement for any period in the present jail under existing conditions is very apt to result in the moral hankruptcy of any young prisoner and the physical bankruptcy of any old one. There is no effective segregation on any lines or for any cause;"—just as true here in Boston—"the physical conditions will not permit of it. The unspeakahly vile, and the youngster who has only been soiled by sin are herdcd together; the horrihly diseased are thrown into continuous and intimate contact with those who are still uncontaminated; the cocaine fiend and the weakling ready to turn to any desperate expedient for relief from his misery are made to hohnob together. Of all agencies for the propagation of crime, for the spread of infection—physical as well as moral—for the crushing out of any hope of better things and for the tying of mill stones around the necks of unfortunates, we feel safe in commending the present Montreal jail as representing almost the last word on the suhject."

And I would like to add from my personal experience that the Boston jails—and I have been through every single one of them and studied them carefully with Coun. Attridge—are just as bad in their conditions as the one in Montreal. I hope the Council will takc another step forward, the same as the Council of two years ago did, and will put a stop to these conditions.

Coun. CURLEY—Mr. President, I would like to say a word on this proposition. I feel as do the other councilors with relation to the absence of Coun. Kenny, and I do not feel that he should be placed in a wrong light on this particular proposition. I talked with him last week and urged upon him the advisahility of doing something in the matter. He said he would call a meeting of the committee on finance within a very few weeks and consider this with other propositions. I want to say in this connection that I have an order here in my desk dated Octoher 4, 1910, bearing upon this particular proposition, ordering the committee on finance to consider and report on the advisability of providing a suitahle sum of money for a court house in South Boston. I refrained from introducing the order in the hope that Coun. Kenny as a representative of the South Boston district would see the wisdom of taking some action upon this matter. I want to say in connection with the order offered that I think the sum designated, $65,000 is merely a tentative sum and can he changed at the discretion of the committee on finance. I think the committee on finance, and in fact, the entire board, who visited the South Boston Courthouse a year ago, were agreeablc to an appropriation of $125,000 to $150,000 for a suitahle huilding, and I trust, as Coun. Hale has pointed out, that they will see the advisability of appropriating a sufficient sum to erect a building that will reflect credit on the city. I want to say in this connection that I do not feel that the committee, the chairman or any member of it, are justified in depending upon the recommendations of the Finance Commission as to their mode of procedure in committce mceting, and while perhaps there is some justification with a policy of ex-economy in relation to public huildings and certain other expenditures, I do not feel that conditions warrant the pursuance of that policy to the extreme that has heen contemplated during the past two years. I wish to say in this connection, that we are considerably behind not only European cities but other cities on this continent. I had occasion to take dinner on Saturday with the Minister Plenipotentiary of the Argentine Repuhlic, Señor Rinaldo S. Naon, former Commissioner of Education, and, speaking along this line, he pointed out the fact, that it is customary in the Argentine Repuhlic in the construction of schoolhouses to expend a sum of not less than $2,000,000 upon every schoolhouse that will house 500 pupils. If anyone in the City of Boston were to advance a proposition of that character and it should hy any means be brought before the Finance Commission for their consideration there is a possibility that they would require medical attendance before they would be ahle to consider it. They do not call them schools there, they call them palaces of education. But here in the City of Boston we talk over the question of making an improvement for one, two, three, five or ten years, and after we are defeated for puhlic office and a new hatch of men is elected, they come in and talk the same things over for a similar period, until they are required, and those who succeed them continue to talk them over. I sincerely trust that the chairman of the Committee on Finance will see the wisdom of an early meeting of that committee and speedy action, in order that long delayed justice may be done to the people of the South Boston district.

Coun. BALLANTYNE—Mr. President, I would like to say just a word on this matter. The only ohjection I have to the order is that it contemplates too small an amount. I do not think $65,000 is anything like an adequate sum to provide such a building as is needed in South Boston. I agree with Coun. Hale and Attridge that if there is any section of the city that requires a new courthouse it is South Boston. I have said so for over one year, and hope the order will he amended in some way so as to provide a suitahle sum for the purposes of the district. There are two districts that require special attention this year, I helieve, Charlestown and South Boston, and I stand here ready to vote for an appropriation for these improvements at any time. I think the most important of all the needed courthouses is that of South Boston, and the matter of next importance to my mind is a playground for Ward 5 in Charlestown. I sincerely hope that the chairman of the Committee on Finance will call that committee together and take action on these very important matters.

The order was referred to the Committee on Finance.

COURTHOUSE, ETC., CHARLESTOWN.

Coun. ATTRIDGE offered an order—That the sum of eighty thousand dollars ($80,000) he appropriated, to he expended hy the Superintendent of Puhlic Buildings, for new comhination courthouse and police station, Charlestown, and that to meet said appropriation the City Treasurer he authorized to issue, from time to time, on the request of the Mayor, honds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, suhmitted the following:

(1) Reports on petitions (severally referred to-day) for permits for children under fifteen years of age to appear at various places of amusement—that permits he granted, viz.:

Edith Guerrier, for children to appear at Parker Memorial Hall on May 1.

R. J. Holmes, for children to appear at Parker Memorial Hall on May 19.

Helen Guest, for children to appear at Boston College Hall on May 10.

B. Guckenheimer, for children to appear at Steinert Hall on June 1, 8 and 15.

Reports severally accepted; permits granted on the usual conditions.

(2) Reports on petitions (severally referred to-day) recommending the passage of orders that the Commissioner of Public Works make sidewalks on the following named streets, in front of the estates hereinafter named, said sidewalks to be from 3 to 10 inches ahove the gutter adjoining, to be from 5 to 12 feet in width, and to he huilt of artificial stone with granite edgestone, the owner to furnish said material, viz.:

Brick.

Blacker-Shepard Company, 409 Albany street, Ward 9.

Estate of J. Harrington, 675 East Second street, Ward 14.

Thomas J. Begley, 717 East Second street, Ward 14.

Rohert P. Gerety, 679 East Second street, Ward 14.

Mrs. Horace Manson, 404 East Third street, Ward 14.

Artificial Stone with Granite Edgestone.

Samuel Altman 327 Huntington avenue, Ward 10.

Canton & Altman, 25 Peterhoro street, Ward 11.

S. W. Johnson, 1592-1596 Columhia road, at K street.

W. H. Hardy, 8 Moseley street, Ward 16.

S. Shine, 13 Judson street, Ward 16.

James F. Flaherty, 69 Bird street, Ward 16.

F. E. Corhett, 14–18 Eastman street, Ward 16.

Joseph Sullivan, 15 Edson street, Ward 16.

William A. Whittemore, 33-33A, 35-35A, 37 Hancock street, Ward 20.

C. G. G. Reynolds, 27 Richfield street, Ward 20.

William Riley, 871 Dorchester avenue, Ward 20.

Nathan C. Harrison, 84 Melville avenue, Ward 20.

Daniel Quinn, 15 Hinckley street, Ward 20.

George N. Douse, 34 Mt. Everett street, Ward 20.

George N. Douse, 49–53 Mt. Everett street, Ward 20.

George N. Douse, 24 Hamilton street, Ward 20.

Ella E. O'Shea, 20 Wales street, Ward 20.

Ella E. O'Shea, 38 Wales street, Ward 20.

Mrs. E. J. Ford, 19 Newport street, Ward 20.

Louis E. Buff, 233 Chestnut avenue, Ward 22.

George O. Currier, 223 Chestnut avenue, Ward 22.

R. W. Morville, Jr., 221 Chestnut avenue, Ward 22.

Louis Shuman, 175A Chestnut avenue, Ward 22.

R. G. Croshy, 336-338 Talhot avenue, Ward 20.

Anna A. Koralewsky, 397 Talhot avenue, Ward 24.

Emily Vanwart, 1224 Blue Hill avenue, Ward 24.

Joseph I. Stewart, Blue Hill avenue, corner Wilcox street, Ward 24.

George W. Williams, 29 Wrentham street, Ward 24.

Max Shoolman, Beach and Freeport streets, Ward 24 (southwest corner).

David O. Felt, 395 Talhot avenue, Ward 24.

P. O'Hearn, 46, 50, 54, 58 Neponset avenue, Ward 24.

Norman Clark, 49-51 Withington street and 29-31 Torrey street, Ward 24.

Jacoh Muller, 393 Talbot avenue, Ward 24.

P. Bowen, 10 Dix street, Ward 24.

Reports severally accepted; order passed

(3) Report on communication from Civil Service Commission (referred May 1), relative to the appointment of Frederick J. Glenn as assistant in the City Messenger's office,—recommending reference of same to a special committee, Coun. Ballantyne and Collins, said committee to wait on the Civil Service Commission in relation to Frederick J. Glenn.

Report accepted; said reference ordered.

(4) Report on order (referred April 24) that no licenses he required for newshoys over sixteen, etc., —recommending that the same he referred to the Finance Commission for a report as to the cost of licensing minors hy the School Committee and by the City Council.

Report accepted; said reference ordered.

(5) Report on message of Mayor, communication and order (referred to-day), appropriating $5,000 for militia target practice—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(6) Report on order (referred April 17) that the Superintendent of Puhlic Grounds purchase and operate at cost swan hoats and row boats on the Puhlic Garden—that the order ought not to pass.

The question came on the acceptance of the report, and the rejection of the order.

Coun. SMITH—Mr. President, in order to have the things I said in the Executive Committee go into the records, I desire to say again that I helieve that is not a matter of dollars and cents, hecause if I thought it was such I would consider it a very, very simple matter. It is more a matter of principle—whether we intend to try to make money from our puhlic parks hy the letting of such privileges. If we do decide to do this—and I may say that this is only a recent development in connection with our puhlic grounds and parks—there is no reason why we should not extend the principle to the selling of other privileges, the privilege of using the pond to skate, the privilege of using the henches and settees, the privilege of using our school halls and our wardrooms for meetings, charging more than the mere expense in connection with those different privileges. That may he a very good principle and it might result in a very considerahle amount of money coming into the city treasury but I do not believe such to be the attitude of our city. I do not helieve that if this Council adopted such a principle hroadcast it would he supported hy the citizens of Boston. This is only an opening wedge for such treatment of these things generally throughout the city. I believe we ought to run this department, if it is worth running, at cost. We should not tax the children of the North and West Ends who primarily use these hoats in order that a profit may he made hy the city and a profit made hy the contractor. The profit must he considerable; we have no accurate means of knowing what it is. In spite of the fact that the contractor gives away tickets to a large number of children, or gives a reduced rate to a large numher of children, nevertheless the profit is considerable. It is $300 to the city and runs into the thousands for himself, and I am ahsolutely against that principle. If the city adopts that principle, as it was adopted under the first administration of Mayor Fitzgerald, there is no reason for not extending the principle. I believe the principle is wrong. I helieve the citizens of this town are taxed for the maintenance of the parks, and the parks are intended to he free, ahsolutely free, especially to the children from the North and West Ends, who use these boats primarily. I am absolutely against the city trying to make revenue from this source. If it is a question of revenue, there is no reason why we should not charge for our wardrooms and high school halls considerably more than the necessary charge for attendance, lighting and janitor service, and we might get considerahle revenue. It is not that I criticise the way these hoats are run, hecause I have said hefore, and I still think, that they are run very creditably. My position in this matter is entirely as a matter of principle, and I think although this is a small matter it is a good one to test the principle upon. I hope the order will not be rejected.

Coun. HALE—Mr. President, I think the fundamental thing in this question is whether by this change we can get any cheaper fares for the boys and girls of the North, South and West Ends, who use these boats, and I have not seen any figures presented to this Council in any way, shape or manner, which would show that if the city ran the boats it would be able to have the fares a single cent cheaper. Coun. Smith says the principle is that we ought not to make money out of the parks. I say the principle is that we ought to give the privilege to the poor people at as low a rate as we can, and furnish as good service as we can. Until Coun. Smith can prove that under some other management we can get better service at the same price or the same service at a less price, we ought to stay where we are now.

Coun. SMITH—Mr. President, if Coun. Hale wishes to amend the motion so as to read "pending a report giving facts and figures," I shall be very glad to accept such amendment.

Coun. HALE—Mr. President, I am perfectly willing to offer an amendment of that kind. If Coun. Smith wishes more time in connection with the matter along that line I think it is perfectly fair. If he can convince us that with fares of four or three cents we will get as good service, I shall be glad to have him do so. I move, therefore, that the matter lie on the table.

The motion to lay on the table was declared lost. Coun. Curley doubted the vote and asked for the yeas and nays. The motion to lay on the table was lost, yeas 3; nays 4.

Yeas—Coun. Curley, Hale, Smith—3.

Nays—Coun. Attridge, Ballantyne, Buckley, Collins, McDonald—5.

The report was accepted and the order rejected.

PLAN OF HIGH PRESSURE.

Coun. SMITH offered an order—That the Fire Commissioner be requested, through his Honor the Mayor, to submit to the City Council, at his earliest convenience, a plan of the proposed high pressure fire service, said plan to show location of stations, pumps, and mains.

Coun. SMITH—Mr. President, this is simply carrying out what we talked of in the Executive Committee, requesting more definite information about the high pressure system. I think without any doubt it is advisable to pass this, as we recommended in our resolution some time ago; but, nevertheless, we would like to know the details of such a large expenditure of money. It seems to me, in view of the recent disaster in Bangor, we ought to push this matter along to a rapid conclusion. I think this should be taken together with the insurance of buildings. Our public buildings need protection and they need insurance, and while it is not exactly germane to the matter, I hope the matter of insurance which was reported back to us to-day by the Corporation Counsel will be acted on to-day. It seems to me that we ought to face the fire hazard that is being met in one city after another. It is not a long cry back to the 1872 fire in Boston. We have in our memories very vividly the fire in San Francisco and the recent fire in Bangor; and we should consider very seriously not only the question of high pressure mains but absolute insurance against such general havoc as a large fire might cause, involving also the tremendous burden which would be imposed on the taxpayers in any one year. I hope, therefore, that the order will pass and will receive prompt attention.

The order was passed.

PENSION FOR E. BRADFORD GAY.

Coun. McDONALD offered an order—That in accordance with the provisions of chapter 209, Acts of 1911, E. Bradford Gay, a veteran of the Civil War and late master of the Warren Grammar School of the City of Boston, be granted a pension of $50 dollars per month, the same to be charged to the Reserve Fund.

Referred to the Executive Committee.

REPAIR OF ZEIGLER STREET.

Coun. CURLEY offered an order—That the Commissioner of Public Works be requested to place in condition suitable for public travel, Zeigler street, Ward 17.

Passed.

TIME OFF FOR PENAL EMPLOYEES.

Coun. CURLEY offered an order—That the Penal Institutions Commissioner be requested, through his Honor the Mayor, to give all employees in the Institutions Department at Deer Island one day off in seven as is now done at the State Prison.

Referred to the Executive Committee.

GENERAL RECONSIDERATION.

On motion of Coun. HALE the Council refused a general reconsideration of all action taken to-day.

Adjourned, on motion of Coun. BUCKLEY, at 6.12 p. m., to meet on Monday, May 8, 1911, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 8, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair. Absent—Coun. Curley.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments, all for the term ending April 30, 1912.

(1) Miss Lucy Wallen (124 Southern avenue, Ward 24) and Maynard F. Moseley (16 Beaumont street, Ward 24), to be Weighers of Coal.

(2) Amos S. Hubbard (36 Robinson street, Ward 24), to be an Inspector of Pressed or Bundled Hay and Straw and a Measurer of Grain.

(3) Andrew W. Crowther (460 Bennington street, Ward 1), to be a Weigher of Boilers and Heavy Machinery.

(4) William A. Tryder (319 Paris street, Ward 2), to be a Weigher of Coal, Measurer of Wood and Bark, Measurer of Grain, Weigher of Boilers and Heavy Machinery and a Weigher of Beef.

(5) George A. Borofski (61 Ceylon street, Ward 20), a Constable of the City of Boston for the term ending April 30, 1912.

Severally laid over under the law.

NOTIFICATION OF APPOINTMENTS.

The following was received:

City of Boston,
Office of the Mayor, May 3, 1911.

To the City Council:

You are hereby notified that I have this day designated Walter L. Cronin and John J. Dunigan, who are inspectors in the Building Department of this city, to serve as Fence Viewers. These designations are made in conformity with chapter 76 of the Acts of the Massachusetts Legislature of 1911.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

RESIGNATION OF CONSTABLE.

The following was received:

City of Boston,
Office of the Mayor, May 8, 1911.

To the City Council:

You are hereby notified that I have this day accepted the resignation of Charles A. Badger from the office of constable of the City of Boston.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

INVITATION TO MEMORIAL SERVICES.

The following was received:

City of Boston,
Office of the Mayor, May 8, 1911.

To the City Council:

I transmit herewith a letter from Mr. Isaac P. Gragg, president First Regiment Massachusetts Volunteer Infantry Veteran Association, inviting the Mayor and the members of the City Council to occupy seats on the platform at the memorial service in honor of the deceased comrades of this regiment, to be held in Faneuil Hall, Sunday afternoon, May 25, 1911.

Respectfully,
JOHN F. FITZGERALD, Mayor.

First Regiment Massachusetts Volunteer Infantry Veteran Association.
Boston, May 8, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—The First Massachusetts Volunteer Infantry Association, in connection with the fiftieth anniversary of the muster into service of the regiment in 1861, will hold a memorial service in honor of their deceased comrades, over 1,000 in number, in Faneuil Hall, Boston, on Sunday afternoon, May 21.

Hon. John L. Bates will deliver the memorial address and Rev. Edward Anderson, formerly colonel of the Twelfth Indiana Cavalry, will officiate as chaplain.

As a Boston regiment that for three years did its part in the preservation of the Union, we desire that the city shall be officially represented on the occasion and on behalf of the committee of arrangements your Honor, together with the members of the City Council, are invited to be present and occupy seats on the platform.

Respectfully,
ISAAC P. GRAGG,
President Association.

Referred to the Executive Committee.

PLANS OF HIGH PRESSURE SERVICE.

The following was received:

City of Boston,
Office of the Mayor, May 8, 1911.

To the City Council:

In compliance with an order passed by your honorable body at its meeting of May 1, 1911, to the effect that "the Fire Commissioner be requested, through his Honor the Mayor, to submit to the City Council at his earliest convenience a plan of the proposed high pressure fire service, said plan to show the location of stations, pumps and mains," I transmit herewith a letter from the Fire Commissioner, accompanied by the plans requested.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Headquarters Fire Department,
May 6, 1911.

Hon. John F. Fitzgerald,
Mayor:

Sir,—Pursuant to an order from the City Council, dated May 1, requesting that this office furnish the Council with a plan of the proposed high pressure fire service, showing stations, pumps and mains, I beg to forward herewith said plan.

It is planned to place the pumping station adjacent to Charles River Basin, near the Cambridge Bridge.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

(Annexed were the plans referred to.)

Referred to the Executive Committee.

PENSION TO E. B. GAY.

The following was received:

City of Boston,
Office of the Mayor, May 5, 1911.

To the City Council:

I beg to submit, for the consideration of your honorable body, a copy of chapter 209 of the Acts of the year 1911, which authorizes the city to grant a pension to Mr. E. Bradford Gay, late master of the Warren Grammar School. A letter from Mr. Gay and various references and documents are attached hereto.

Respectfully,
JOHN F. FITZGERALD, Mayor.

(Annexed were letter, act, and various references and documents.)

Referred to the Executive Committee.

MUNICIPAL ATHLETIC ASSOCIATION.

The following was received:

City of Boston,
Office of the Mayor, May 8, 1911.

To the City Council:

I recommend the passage of the accompanying order, appropriating the sum of two thousand

dollars ($2,000), to be expended under the direction of the Bath Department for the purpose of encouraging athletic sports among the boys and girls of the city through the organization known as the Municipal Athletic Association, which has been recently formed. Similar work has been undertaken in the past by Boston–1915, but it seems to me that it will be more effective if carried on under municipal auspices and directed by a branch of the government which is devoted to public recreation. The work of the association will include field and track sports, swimming, baseball and other games suitable for developing vigorous muscles, sound constitutions and those habits of individual self-control and united action which are so important an element in good citizenship. The plan of the association contemplates a general advisory committee with local committees, and its primary aim is to interest working girls and boys who, under expert supervision, are believed to offer a promising field for the labors of those who are enthusiastic in this cause. If the association develops, as I trust it will, Boston, which has had the first indoor and outdoor gymnasia in the world, will once more take the lead by founding the first municipal athletic association.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That the sum of two thousand dollars ($2,000) be appropriated, to be expended in accordance with the program of the Municipal Athletic Association, under the direction of the Bath Trustees, and that said sum be met by taxes to the amount so appropriated, and be raised by tax on the polls and estates taxable in the City of Boston.

The communication was declared referred to the Executive Committee.

Coun. KENNY—Mr. President, I would move a reconsideration of that reference, and if that prevails I shall move reference to the Committee on Ordinances, which meets to-morrow night. At that time, as I understand, we are likely to take up the matter of the Recreation Department, and we may want to consider this. For that reason I move reconsideration of the reference.

Reference to the Executive Committee was reconsidered and, on motion of Coun. KENNY, the matter was referred to the Committee on Ordinances.

SEATING ACCOMMODATIONS, PUBLIC GROUNDS.

The following was received:

City of Boston,
Office of the Mayor, May 8, 1911.

To the City Council:

Criticism having been made of the lack of seating accommodations in various portions of the park system and in some of the public grounds, I addressed inquiries to the heads of the Park and Public Grounds Departments and learned that the need of additional seats was recognized by them, but owing to the lack of specific appropriations it was impossible to meet the demand. I recommend, therefore, the passage of the accompanying orders, appropriating four thousand dollars ($4,000) for the Public Grounds Department, and three thousand dollars ($3,000) for the Park Department, for additional seating facilities. A letter from Superintendent Sullivan is appended hereto.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Public Grounds Department,
May 6, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Referring to inquiries from your office regarding the number of settees on our parks and squares, and the advisability of increasing same, I would strongly recommend that 1,000 additional settees be purchased and distributed on the various public parks. During the warm season the demand for seats is very great, and at the present time the number of settees to each district is limited. Based on our former purchases a first-class wrought-iron settee may be had for approximately $4, or $4,000 or thereabouts for the proposed 1,000. I am sure such a movement would be very much appreciated by the public at large.

Respectfully yours,
D. H. SULLIVAN, Superintendent.

Ordered, That the sum of four thousand dollars ($4,000) be appropriated from the income of the Parkman Fund, to be expended by the Public Grounds Department, for the purchase of additional seating accommodations for parks and squares under the control of said department.

Ordered, That the sum of three thousand dollars ($3,000) be appropriated from the income of the Parkman Fund, to be expended by the Park Department, for providing additional seating accommodations in the parks and grounds under the control of said department.

Referred to the Committee on Parkman Fund.

RECEPTION TO VETERAN REGIMENT.

The following was received:

City of Boston,
Office of the Mayor, May 8, 1911.

To the City Council:

I beg to transmit a communication from Representative William S. Hoyt, of the Thirteenth Essex District, who writes as a representative of the surviving members of the First Massachusetts Regiment Volunteer Infantry in the Civil War. The survivors of this regiment intend to hold a reunion upon the fiftieth anniversary of the date of their mustering in as a regiment. They have a peculiar claim upon the city as they were largely recruited from Boston and were not only the first three-year regiment in the war but the first that went to the front with over one thousand men. Owing to the fact that their companies were recruited from existing militia organizations these veterans are considerably older than the average and it is doubtful whether they will ever have another reunion here.

Under the circumstances as set forth in the letter of Representative Hoyt it seems to me that it would be a proper recognition of the services rendered by these citizens and a faithful expression of the sentiment of our people toward them if the city should appropriate the sum of three hundred dollars ($300) to carry out the program of this reunion. I recommend, therefore, the passage of the accompanying order, transferring this sum from the appropriation for the Reserve Fund to the appropriation for Mayor, Public Celebrations.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Commonwealth of Massachusetts.
House of Representatives.
Boston, May 3, 1911.

Hon. John F. Fitzgerald,
Mayor, City of Boston:

Dear Sir,—I desire, as representing the Fiftieth Anniversary Committee of the old First Massachusetts Regiment of Hooker's old brigade, composed of Boston companies, to solicit the aid of the government of the City of Boston in order that we may be enabled to carry out the program of the inclosed circular. We have the address of about 300 living members and wish to have them meet once more. Many of them cannot come without aid. As this was a "Boston regiment" we believe we may safely ask your consideration and financial aid. Our dear old city has always stood with its own.

Yours truly,
WILLIAM S. HOYT,
Representative Thirteenth Essex District.

(Annexed were the circulars referred to.)

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer the sum of three hundred dollars ($300) from the appropriation for the Reserve Fund to the appropriation for Mayor, Public Celebrations, to be expended for the reception of the surviving members of the First Regiment Volunteer Infantry Veteran Association.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Caroline H. Adams, for compensation for injuries caused by a defect in Morton street.

Executive.

Petitions for permits for children under fifteen years of age to appear at various places of amusement, viz.:

Isahel Florence, for children to appear at Huntington Chambers Hall on the evening of May 27.

Mrs. Eldridge, for children to appear at Emanuel Church on the evening of May 9.

Edith Russell, for children to appear at Kossuth Hall on the evening of May 10.

Charles W. Moulton, for children to appear at Steinert Hall on the evening of June 2.

Petitions for sidewalks were received, as follows:

(Brick.)

Annie E. Sawyer, 702–704 East Sixth street, Ward 14.

Starratt, Fields Company, 32–36 Southampton street and 805–809 Massachusetts avenue, Ward 17.

(Gravel with Granite Edgestone.)

J. W. McEnany, 80–84 Edson street, Ward 24.

(Artificial Stone with Granite Edgestone.)

Wells Brothers, agents, on Batterymarch, High, Oliver and Wendell streets, Ward 7.

Benjamin Devine, 39 Hemenway street, Ward 10.

Dr. H. F. Sears, on Beacon and Brimmer streets, Ward 11.

E. J Ball, 224 West Newton street, Ward 12.

Cyrene E. Young, 889–897 Dorchester avenue, Ward 16.

Clarence H. Waldman, 153–155 Howard avenue, Ward 16.

George V. Wattendorf, 54 Edison Green, Ward 16.

Silverman & Shapira, 77–91 Fayston street, Ward 20.

F. A. Bradford, 22–26 Jerome street, Ward 20.

Augustine L. Rafter, 41 School street, Ward 20.

John Schneider, 17 Harold street, Ward 21.

Thomas F. Mahan, 125–129 Humboldt avenue, Ward 21.

Margaret A. Curley *et al.*, 67 Armandine street, Ward 24.

E. Lanning, 305 Ashmont street, Ward 24.

James P. McShane, Beale street, Ward 24.

Richard R. Walsh, 5 Beale street, Ward 24.

James Kelly, 6 Beale street, Ward 24.

Mary Malleski, 9 Beale street, Ward 24.

Domenico De Stefano, 909 Blue Hill avenue, Ward 24.

Eugene F. Sullivan, 28 Edson street, Ward 24.

J. P. Archdeacon, 115 Neponset avenue, Ward 24.

COAL AND COKE LICENSE.

A copy of coal and coke license granted hy the Secretary of the Commonwealth was received.

Placed on file.

NOTICE OF HEARING.

Notice was received from the Railroad Commissioners of hearing on petition of West End Street Railway Company on May 9 for approval of 347th, 348th and 349th locations.

Placed on file.

ALTERATION IN LOCATION.

A copy of an order was received from the Street Commissioners granting the West End Street Railway Company an alteration in its location, Washington street and Summer street, 350th location.

Placed on file.

APPROVAL OF APPOINTMENTS.

Notices were received from the Civil Service Commission of approval of appointment of Frederick E. Atteaux, as Cemetery Trustee, and Simon E. Hecht as Overseer of the Poor.

Placed on file.

RAILROAD POLICE.

Notice was received from the Police Commissioner, in accordance with law, of the appointment of Maurice W. Fitzgerald and James E. Wallace as railroad police officers for the Boston, Revere Beach & Lynn Railroad Company.

Placed on file.

STORAGE OF OIL.

Notices were received from the following named company of the storage of oil in the premises referred to, and of intention to continue use of said premises for the ensuing year, viz.:

Boston Consolidated Gas Company, Cambridge street and Charles river.

The same company, 34 Freeport street.

The same company, Commercial Point, Ward 24.

The same company, Calf Pasture.

The same company, Hilton street.

The same company, 144 Keyes street, Ward 23.

Placed on file.

ATTACHING OF WIRES, ETC.

Copies of orders were received from the Street Commissioners allowing the attachment of wires of Edison Electric Illuminating Company to the poles of the New England Telephone and Telegraph Company of Massachusetts on the following named streets, viz.:

Frankfort street, Ward 2; Bellevue street, Ward 19; Dunboy street, Ward 25; Lexington street, Ward 1; Gerard street, Ward 17; Sedgwick street, Ward 22; Strathmore road, Ward 25; Webster street, Ward 2; Temple street, Ward 23.

Placed on file.

ERECTION AND REMOVAL OF POLE.

A copy of an order was received from the Street Commissioners granting permission to the New England Telephone and Telegraph Company of Massachusetts to erect and to remove one pole on Geneva avenue, Ward 20.

Placed on file.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, suhmitted the following constahles' bonds:

John E. Andrews, William S. Cosgrove, Joseph P. Dever, James W. Gilmore, Joseph Guttentag, Charles F. Hale, George J. Hanley, George E. Harrington, William M. Macdonald, James O'Connor, Alvin I. Phillips, Matthew J. Peters, Robert Reid, Morris I. Silton, Huntington Smith, Anson Stern, William H. Travers, Jeremiah H. Twomey, Frank Yennaco, Vincenzo Yennaco.

Approved hy the Council.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up unfinished business, Nos. 1 and 2, viz.:

1. Action on appointments submitted by the Mayor May 1, of Almerindo Sarno and James A. DeCourcy, to he Constables of the City of Boston for the term ending April 30, 1912.

2. Action on appointments suhmitted by the Mayor May 1, of George E. Dalrymple, Henry J. Flynn, Edward B. Griffin, Stephen M. Hale, Edward F. McCormack and Charles H. Woods, to he Weighers of Coal, Measurers of Wood and Bark, Measurers of Grain, Weighers of Boilers and Heavy Machinery and Weighers of Beef; and Frank Stiles, to be a Weigher of Coal; severally for the term ending April 30, 1912.

The question came on confirmation. Committee, Coun. Buckley and Attridge. Whole numher of hallots cast 8, yeas 8, and the several appointments were confirmed.

MINORS' LICENSES.

President COLLINS suhmitted reports on petitions for minors' licenses of seventeen newsboys, six boothlacks and six vendors—recommending that licenses he granted.

Reports accepted; licenses granted on the usual conditions.

STREET IMPROVEMENTS, DORCHESTER.

President COLLINS offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along both sides of Athelwold street, between Millet and Kilton streets, Ward 20, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Ordered, That the Commissioner of Public Works make a sidewalk along Park street, between Geneva and Dorchester avenues, Ward 24, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Ordered, That the Commissioner of Public Works make a sidewalk along the southerly side of Stanton street, from No. 43 to the corner of Norfolk street, Ward 24, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

President COLLINS offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to regulate Park street, Dorchester, from Dorchester avenue to Geneva avenue.

The orders were passed.

SIDEWALK ORDERS.

Coun. SMITH presented a petition of Grace E. Hopkins *et al.*, of Park street, Ward 23, for sidewalks on said street.

In connection with the petition Coun. SMITH offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Park street, between Anawan avenue and Clement avenue, Ward 23, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, without granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

Coun. BALLANTYNE presented the petition of Adelaide L. Spring *et al.* for sidewalks on Seaver street, Ward 21.

In connection with the petition Coun. BALLANTYNE offered an order—That the Commissioner of Public Works make a sidewalk along Nos. 168, 176, 184, 192 Seaver street, and on the Elm Hill avenue side of said 192, Ward 21; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

CLOSING OF STREET.

Coun. BALLANTYNE offered an order—That the Police Commissioner be authorized to close to travel by vehicles, except fire, police, mail and hospital wagons, the following streets for the formation and parade of the Boston Work Horse Parade Association on May 30, 1911, between the hours of 8 a. m. and 12 noon, viz.:

For the formation—Shelborn, Deerfield, Granby, Raleigh, Kenmore, Ashby and Chilmark streets, Bay State road, Newbury street, between Charlesgate West and Brookline avenue, Brookline avenue, between Newbury and Beacon streets, and Beacon street, from Charlesgate West to Commonwealth avenue.

For the parade—Massachusetts avenue, from Commonwealth avenue to Beacon street, and Beacon street, from Massachusetts avenue to Charles street.

Passed.

APPOINTMENT OF HEALTH COMMISSIONER.

Coun. SMITH offered the following:

Resolved, That the City Council respectfully petition his Honor the Mayor to immediately send an appointment to the Civil Service Commission for the vacancy existing in the Board of Health since August 8, 1910.

Coun. SMITH—Mr. President, I have introduced this resolution not in the slightest spirit of animosity either toward the present incumbent of that office or against the Mayor. It is simply that this Board is asked to appropriate money for the running of that department, among others, and as a member of the Board I cannot vote money for the department without knowing that the Board of Health is comelete and doing its duty to the best of its ability. It is no criticism of the gentleman holding that temporary office to say that the Board is not technically complete when one of the places on it has been vacant under the new charter since the eighth of August last. If I had known the conditions existing when I first became a member of this Board I would not have voted for the annual appropriation until some active step had been taken to complete the Board so that we might have that department working, as the other departments are working, to the best of its ability. That department is growing in importance in this city. The work that is being thrust upon it is more and more important. We have this year put two new nurses in the department for the baby hygiene. We have constantly increased the scope of the department and the inspectors have not kept pace. We have not even one inspector of the Health Department for each ward of the city, important as the work of the department is. We have not proper sanitary stations throughout the city; there is a great lack of them. And yet we are asked to go on appropriating money for this department when the Board is not complete. If this were simply a temporary condition of the Board we might, of course, appropriate the money without any qualms of conscience; but it is not fair to the gentleman holding the position temporarily, and it is not fair to the taxpayers of this city, who are looking to the Board to safeguard the health of the city, to have the Board going on and acting for over eight months, incomplete. It is, therefore, in no spirit of animosity that I offer this resolution. It is simply to bring home to the Mayor the fact that we do not under the new charter think we can appropriate money asked for by that Board when the Board is seriously impaired because it has not its full quota of members. I realize the fact that the Mayor is in touch with affairs in this city and in touch with many individuals, and it must be he is perfectly able to complete that Board if he so desires. Furthermore, names have been suggested to him for consideration, if he so desires; and it seems to me that the condition existing there should exist no longer in fairness to the taxpayers, to the man who is holding the position temporarily, and to the Mayor himself, because criticism is bound to arise, and justly so, if that office is held vacant too long. I therefore hope, in order to aid this Board in passing the necessary appropriation for the department, that the Mayor will see fit to send in a name to the Civil Service Commission at once.

Coun. BUCKLEY—Mr. President, while I do not oppose this resolution it seems to me we ought not to take any action upon it at this time. It seems to me as though such an order should come directly from the chief executive of the city and not from the City Council. I believe, with Coun. Smith, that the Board should be complete, and I believe we should have competent men on that Board; but it is so hard to get a man confirmed by the Civil Service Commission at the present time, no matter what his qualifications may be, that it seems absolutely impossible to get a first-class man in that department. His Honor the Mayor last year submitted the name of a man who knew conditions existing in this city, who knew the wants of the city, who was thoroughly familiar with the tenement house section, and absolutely nothing could be found against him. Still the Civil Service Commission refused to confirm him, and the so-called Good Government Association of Boston brought out some facts about his character which they could not substantiate when they were called upon to do so. As a result the man was rejected, although he would have made an admirable Health Commissioner for this city. What is the use of our taking action of this kind? You have to have some certain man in order to pass muster at the State House to-day. It seems to me, having that in mind, we should leave this matter to the discretion and judgment of his Honor the Mayor and not take any action upon it. As I say, I believe with the councilor that the vacancy should be filled and

that the place should not be held by a man who has not been confirmed; but under the conditions existing it is almost impossible to have any man confirmed.

Coun. SMITH—Of course, I don't think it is any concern of this body as to what action the Mayor takes on his nomination to the Civil Service Commission, provided the nominations are made within a reasonable length of time. But you see in this case months have gone by without any nominations being sent to the Civil Service Commission, and it is for that reason that I hope the Board will express its desire that the Mayor shall send a nomination to the commission at once. The milk question has arisen and the Board of Health needs a number of additional inspectors, and it is presumable that we may be asked for an appropriation for additional inspectors. I cannot, for one, vote money for the Board of Health, knowing that the Board is crippled as it is at present, having only two members out of three, and one of the members being somewhat out of health at times. I cannot vote that money as willingly as I would if the Board were complete and I knew that the money could be used actively at once. I think if we withhold our appropriations the people of this town, especially now that summer is coming on, with the danger of contagious diseases, will insist on properly caring for our milk supply, and I think the people of this town will add their pressure to ours and insist that, difficult though it may be to get nominations by the Civil Service Commission, nevertheless the Mayor shall persist in sending them actively to that Board. Of course, it must be possible to find men qualified for the office. Six names have been suggested only recently, and none of them have been sent up, nor have any others been sent up. Why should the Mayor hesitate, for instance, to send up the name of the present incumbent of the office? I am not the person, and of course this Board is not the Board, to suggest whose name should be sent up, but some name should be sent up and sent at once. While we have no right to interfere actively in the management of this department, we can surely pass a resolution saying what we hope will be done, in order that we may willingly vote the necessary money for the support of the department.

Coun. McDONALD—Mr. President, I don't think it is any of the councilors' business whether the Mayor sends in a name for the Board of Health or not. The charter forbids our requesting or petitioning the Mayor to appoint any head of a department, and I do not see that we have any right to interfere at all. I don't think we need be afraid of appropriating money to be spent by the present Health Commissioners. The gentleman at issue—while he is not there permanently, and while we all regret that he is not and that possibly he would not be confirmed if appointed, by the Civil Service Board—is a man of whom we need not be afraid. He is a good business man, a level headed young fellow, and knows a great deal about the health of the common people, so called. He is down there all the time and doing his work all the time. He is level headed, and this Council, as far as he is concerned, need have no fear of his judgment in the spending of any money that may be appropriated to take care of the milk question or any other question that may be acted upon by the present Board of Health. Outside of that question of the three men at issue I don't think the Council has a right to petition or request the Mayor, by resolution or otherwise, to send in any name for the head of a department. This is a very important matter, and we certainly should not interfere in something in which we have absolutely no right to interfere, practically requesting his Honor the Mayor to send in the name of somebody as a Health Commissioner. I hope the resolution will be ruled out as beyond our rights under the charter.

Coun. SMITH—Mr. President, I only want to reiterate what I said in my opening, that I have no personal animosity toward anybody in introducing the resolution. Neither do I desire to boom anybody's stock by introducing it. My desire is simply that a vacant position on that Board, left vacant since the 8th of August last, shall be filled, that the Board shall be made complete; and, while the Mayor has the say in the matter and while this Board may not interfere in most matters of that kind, it seems to me that we do have a certain direct responsibility to the citizens of Boston in connection with this subject matter. One place in that department has been vacant so long that it becomes our concern whether we shall appropriate money for the carrying out of the necessary functions of the department. We cannot shirk the responsibilities cast upon us by the charter. We share in the responsibility of appropriating money It is money that makes this city go and it is necessary for both the Mayor and the City Council to join in appropriating money. As one of the Board I cannot conscientiously vote to appropriate money for the Health Department until I know that that department is running to its fullest and best ability, and that is impossible when only two men out of three are on the job, and when, as I have said before, one of the gentlemen is somewhat incapacitated by ill health. As I have said before, it is absolutely necessary in passing appropriations that this Council should know that the money is being spent to the best advantage. I think we cannot feel that under present conditions it is, and without any personal animosity, but simply in the interests of the proper transaction of the city's business, I have introduced the resolution.

The resolution was referred to the Executive Committee.

Later in the session Coun. SMITH asked for a reconsideration of the reference, which was declared carried. Coun. McDONALD doubted the vote and asked for the yeas and nays. Reconsideration of the reference was refused, yeas 4, nays 4:

Yeas—Coun. Collins, Kenny, Hale, Smith—4.

Nays—Coun. Attridge, Ballantyne, Buckley, McDonald—4.

BENCHES IN PARKS.

Coun. BUCKLEY offered an order—That the Superintendent of Public Grounds be requested, through his Honor the Mayor, to place benches in Belmont Square Park, East Boston, for the use of the people in the vicinity.

Passed.

Coun. BUCKLEY offered an order—That the Superintendent of Public Grounds be requested, through his Honor the Mayor, to place additional seats at Training Field, Winthrop square, Charlestown, for the use of people in the vicinity.

Passed.

PAYMENT FOR CLERICAL ASSISTANCE.

Coun. ATTRIDGE offered an order—That, until otherwise ordered by the City Council, the City Auditor be authorized to allow for payment, and the City Treasurer to pay, expenditures for clerical assistance by the following officers at the rate named per annum in each case, viz.:

Clerk, Superior Court, Civil Session, $35,000; clerk, Superior Court, Criminal Session, $15,000; Register of Probate and Insolvency, $15,500; clerk, Supreme Judicial Court, $9,000.

Referred to the Executive Committee.

INFORMATION ASKED OF FINANCE COMMISSION.

Coun. BUCKLEY offered an order—That the Finance Commission be requested, through his Honor the Mayor, to send to the City Council its findings, if any, on the matter of Arlington street extension, which request was made of the commission at the meeting on March 13, 1911.

Passed.

CHILDREN IN BUSINESS SECTION.

Coun. SMITH offered an order—That the Committee on Ordinances give a public hearing on Wednesday, May 17, at four o'clock p. m., on the message of Mayor and ordinance relative to children under fourteen years of age loitering upon streets in business section after nine o'clock p. m., unless accompanied by a parent, guardian or other adult person, the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

Later in the session Coun. SMITH said: Mr. President, it is with peculiar pleasure that I rise to perform an act of courtesy ——

President COLLINS—Does the gentleman rise to a question of personal privilege?

Coun. SMITH—I am speaking to a motion to reconsider that I propose to make. It is with peculiar pleasure that I rise to perform an act of courtesy with respect to an order introduced by

myself relating to the Committee on Ordinances, of which the councilor on my left is the chairman. I was told that the Council had power to ask for a public hearing, hut I find that the custom is to leave that to the chairman of the proper committee. I therefore ask for a reconsideration of the passage of my order, which was passed earlier in the meeting, relating to a meeting on the curfew ordinance, so called.

Reconsideration prevailed, and the order was referred, on motion of Coun. SMITH, to the Committee on Ordinances.

RECESS TAKEN.

The Council voted, at 3.45 p. m., on motion of Coun. KENNY, to take a recess subject to the call of the President.

The members reassembled in the Council Chamber and were called to order by the President at 4.34 o'clock p. m.

HEARINGS AT FOUR O'CLOCK.

The Council proceeded to take up Nos. 3 and 4, viz.:

3. On petition of the Old Colony Railroad Company asking that the limits be prescribed within which land near Butler and Huntoon streets may he taken for railroad purposes.

4. On petition of the Old Colony Railroad Company asking that the limits he prescribed within which land adjoining the Pope estate may be taken for railroad purposes.

No objections. Referred to the Executive Committee.

FURTHER RECESS TAKEN.

The Council voted, on motion of Coun. ATTRIDGE, at 4.35 o'clock p. m., to take a recess subject to the call of the President.

The members of the Council reassembled in the Council Chamher and were called to order by the President at 5.35 o'clock p. m.

SOLDIERS' RELIEF.

Coun. HALE, for the Committee on Soldiers' Relief, submitted a report recommending passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of May.

Report accepted; order passed.

NUMBER OF LABORERS, RETIREMENT ACT.

Coun. ATTRIDGE offered an order—That the heads of departments, through his Honor the Mayor, be requested to report to the City Council as to the number of lahorers who, in their opinion, would be affected hy the provisions of chapter 413 of the Acts of 1911, entitled "An Act Relative to the Retirement Fund for Lahorers Employed hy the City of Boston."

Coun. ATTRIDGE.—Mr. President, there were two other orders presented with that, and the Clerk read them out of order. One was with reference to the City Council accepting chapter 413 of the Acts of 1911, and this order, of course, has reference to that, being an act providing for a retirement fund for the laborers employed by the City of Boston. That act was signed hy the Governor to-day and one provision of the act is that it shall take effect on the first day of March of the year following its acceptance by the City Council of the City of Boston. I have three orders there, one calling upon the City Council to accept the act; another that the heads of departments, through his Honor the Mayor, be requested to report to the City Council as to the numher of laborers who in their opinion would be affected hy the provisions of that chapter; and there is a third order which asks the opinion of the Corporation Counsel as to the meaning of the word "lahorers" and the words "any laborer" as used in this act. This act was known as House Bill No. 802, a bill accompanying the petition of Francis J. Brennan for legislation to provide for a retirement fund for laborers in the employment of the City of Boston. Last year's City Council rejected a retirement act which had been passed because of the fact that the act was supposed to he defective. Some memhers of the Council were of the opinion that the old, infirm and physically incapacitated laborers in the employ of the city should receive a pension, and the Legislature of this year has seen fit to pass such an act. The act has secured the approval of the Governor, and I trust that the City Council of this year will accept it. In my opinion we should do something for the old men who have served the city faithfully twenty-five years or more and who have reached the age of sixty years or seventy years, if they are physically incapacitated. I think it is but fair to those men that the city should provide a retirement fund, a pension, for these aged and physically incapacitated men. We have a pension system for the school teachers, for the police officers and for the firemen, and personally I helieve that the City of Boston should do something which is honorahle for these men. I do not call upon the Council at this time—that is to-day—to accept the act. In fact, I trust that this act will be referred to the Finance Commission for recommendation and report, and when that order is read hy the Clerk I shall move you, sir, if there is no ohjection on the part of the members of the Council, that the act he referred to the Finance Commission for recommendation and report. In regard to the order which calls upon the Corporation Counsel for an opinion in regard to the meaning of the word "lahorers" and the words "any laborer" there has heen a doubt in my mind as to the meaning of those words, because of a rule of the Civil Service Commission which classifies lahorers into three classes—Class 1, common lahorers; Class 2, skilled lahorers; Class 3, mechanics and craftsmen. I don't think there would be any question about Class 1, the common laborers, coming under the provisions of this act. There is one question in my mind as to whether, under Class 2, derrick men, building lahorers, chauffeurs, drivers, stahlemen, elevatormen, lamplighters, would come under the provisions of this act. The order asks for the opinion of the Corporation Counsel upon the meaning of those words as used in the law and under the rulings of the Civil Service Commissioners.

The order was passed.

ACCEPTANCE OF RETIREMENT ACT.

Coun. ATTRIDGE offered an order—That chapter 413 of the Acts of 1911, entitled "An Act Relative to the Retirement Fund for Lahorers Employed hy the City of Boston," he and the same hereby is accepted.

Coun. ATTRIDGE—Mr. President, I move you, sir, if there is no objection on the part of the members of the Council, that this order be referred with the act to the Finance Commission for recommendation and report hack to the City Council.

Coun. Attridge's motion was carried.

Later in the session Coun. KENNY said: Mr. President, I want to move in connection with this pension matter that the secretary he requested to provide the stenographer with a copy of that act, so that it may appear in the minutes and we may he ahle to read what it is. I believe it should appear in the minutes for our information.

The motion was carried.

(The act referred to, heing chapter 413 of the Acts of 1911, was as follows:

An Act Relative to a Retirement Fund for Lahorers Employed hy the City of Boston.

Be it enacted, etc., as follows:

Section 1. There shall he a retirement board for the lahorers employed hy the city of Boston, consisting of the mayor, the auditor and the treasurer of the city, who shall discharge the duties herehy imposed upon them without additional compensation.

Sect. 2. Any lahorer employed hy the city of Boston who has reached the age of sixty years and who has been in the service of the city for a period of not less than twenty-five years, and who is physically incapacitated, shall, at his request and with the approval of the retirement hoard above provided for, be retired from service, and shall receive for the remainder of his life an annual pension equal to one half of the compensation which he received during the last year of his service for the city. It shall be the duty of the said board so to retire any laborer in the service of the city who

has reached the age of seventy years and has served the city for a period of not less than twenty-five years.

Sect. 3. This act shall take effect on the first day of March of the year following its acceptance by the city council of the city of Boston.)

OPINION ASKED ON RETIREMENT ACT.

Coun. ATTRIDGE offered an order—That the Corporation Counsel be requested, through his Honor the Mayor, to inform the City Council what is the meaning of the word "lahorers" and the words "any laborer" as used in chapter 413 of the Acts of 1911, entitled "An Act Relative to the Retirement Fund for Lahorers Employed hy the City of Boston," and to inform the City Council if this act would apply to the "labor service" of the city as understood under the law and the rules of the Civil Service Commission.

Passed.

TREES, ETC., CHARLESTOWN PARKS.

Coun. McDONALD offered an order—That the Superintendent of Puhlic Grounds he requested, through his Honor the Mayor, to send to the City Council an estimate of the cost of setting out a sufficicnt numher of trees in Training Field, City Square Park, Sullivan Square Playground, Charlestown Heights, to heautify said breathing spaces; also an estimate of the cost of erecting a suitahle drinking fountain in the Training Field.

Passed.

FEE FOR USE OF BATHS.

Coun. McDONALD offered the following:

Resolved, That it is the opinion of the City Council of Boston that no fee should he charged for admission to the public baths, as such fee, small though it may be, will be a hardship to numerous citizens who desire to use the haths.

Ordered, That a copy of this resolution be sent to the Bath Trustees.

Coun. McDONALD—Mr. President, my reason for introducing this order is because of a talk I had last week with the secretary of the Bath Trustees and hecause of information received through the newspapers to-day that the Bath Trustees have passed a vote charging a fee of eleven cents for admission, suitable covering and towel at the L Street Bath. I think all the memhers here will agree with the Bath Trustees that a suitahle covering should he worn by everybody who patronizes the L Street Bath and that one cent for a towel is a just fee. But there are a lot of people who patronize the L Street Bath who go there, for instance, in the morning hefore going to work, who go there upon returning from work, and who go there on Sunday possihly two or three times, hecause they live near there. There are others who go there frequently from distant parts of the city, and who have to pay car fares, and I am introducing this order in the interests of these different people who use that bath. Some of them have called upon me to-day and have stated their feeling in regard to the matter. If they are charged five cents for admission to the L Street Bath every time they go there it makes quite an item hy the end of the week and they cannot afford it. I think the City Council should at least insist on free admission to the public baths, whether all the year baths or summer haths like that at L Street. All these haths are used hy a great many of our citizens, and I hope the Bath Trustees will reconsider their action and at least take off the fee of five cents for admission, allowing the fee of five cents for a proper covering and one cent for a towel to stand. I do not object to that. But a great many of our citizens, printers and others I know, who live in South Boston or who go over there from Charlestown and other sections, while they are satisfied to pay for and wear a suitahle covering, think it a hardship to be ohliged to pay five cents every time they want to go there and patronize a hath which has always been maintained free by the city for public bathing purposes.

Coun. KENNY—Mr. President, I wish to say that I am in entire sympathy with the remarks of the member from Charlestown. The L Street Bath for years, certainly as far hack as I am ahle to recall, has heen free to the public, and I think it would be a very serious mistake to say that the public shall not continue to have the right to go there and use the bathing facilities without a charge for admission. I think the same reasoning applies to other bathing estahlishments in Boston. I believe one thing the city should do is to throw open the bath houses to the puhlic free; and I sincerely hope that the department having this matter in charge will pay some attention to and have some respect for the resolution and order, which I trust will pass.

Coun. SMITH—Mr. President, it is with a great deal of regret that I think I shall have to vote against this resolution and order. Of course, we have to call a halt on luxuries at some time. The city cannot grant to the people everything that may he heneficial or desirable. We have extra requirements there, and it seems to me that we must make a charge for them, and it seems to me that the trustees of the Bath Department are the best people to judge what should be done in the matter. They know their appropriation and they know how far it will go; and, having made improvements and extensions at L Street, they know hest whether they must charge a nominal amount for that increased service. It is also a matter of common knowledge that L Street is different from some of the other municipal haths. It is used hy a large contingent from downtown, and those people as a rule are well able to pay and should pay. The great majority of those people are nonresidents of Boston, and while we may as a city see fit to give all sorts of luxuries to our citizens, that does not apply to out-of-town people, especially when they are well ahle to pay. I think that fact must have influenced the trustees. I know the ones I talked to were certainly influenced by it in recommending this nominal charge. I helieve we should give all luxuries possihle to our citizens commensurate with a fair tax rate, hut if extensions and additions are to he made to our bathing facilities it does seem as though there might he some fair return to the city. It has heen decided in other luxuries connected with our park system to lease out certain privileges. The Council voted in that way on a similar subject at last meeting, and I don't see why the same rule should not apply here. I think if the Council should see fit to lease out the Bath Department, the department would be ahle to make much more money than it can do hy charging eleven cents for the total hath at L Street. I hope the resolution and order will not pass. I think it is an interference with the Bath Trustees in the running of their department. I think, furthermore, it is a nominal charge, and that it falls principally on a class of business men in this city who are not residents, not citizens, and who are well able to pay.

Coun. BUCKLEY—Mr. President, I should like to ask the gentleman a question, if he will answer it.

Coun. SMITH—Certainly.

Coun. BUCKLEY—I should like to ask him if he considers a bath a luxury or a necessity?

Coun. SMITH—I should consider the councilor from Charlestown hest able to judge.

Coun. McDONALD—Mr. President, I am not going to take up any of the time of the Council in discussing this proposition, hut I don't think it is a fair argument to say that it is outsiders, nonresidents of Boston, who use the L Street Bath, and because they do they should pay an admission fee of five cents. Such people as the gentleman refers to would not care if the fee was twenty-five cents. I am not talking ahout that class of citizens or nonresidents at all. I am talking ahout the people living near L street, South Boston, and residents of Charlestown and other sections of the city, many of whom go over there every morning in the summer and some every morning in the year, and take a hath, and many of them are also there after their day's work is over and on Sundays. They cannot afford to pay their car fare and five cents for admission two or three times a day. As Coun. Buckley says, it is not a luxury. The City of Boston should at least allow the people to use the ocean free and provide a suitahle house to protect them from the view of the public while they are using it. I am glad to hear that the gentleman thinks we are interfering with the heads of the department in the performance of their duty. A little while ago he did not think we were interfering with the Mayor of Boston when he wanted to request him to appoint somebody to the head of a department. But now he thinks we are interfering with the duties of the Bath Trustees unwarrantably in expressing our opinion as to the desirahility of their charging the citizens of Boston five cents to use a puhlic hathing place. It is nothing more than a public bathing

place, and it should be maintained by the city free. I do not question the propriety of requiring bathers to use a proper covering or requiring them to pay for a towel; but the trustees should allow citizens to go there, if they have a proper covering, and use the L Street Bath free. It was originally intended that it should be free, that it should be maintained by the city as a free bathing place, and it always has been so maintained. I hope the order will pass, and I trust when it is passed that the roll will be called.

Coun. KENNY—Mr. President, I did not desire to address the Board again on this matter, but I think it is really a serious proposition, and, at the risk of interfering to some extent with the executive work of some department, I propose to vote in favor of the order and resolution. When I voted here several weeks ago for an appropriation for the L Street Bath, it was with the idea that the privileges of the bath house were to be given to the public free. When we passed the appropriation we did so with the expectation that the conditions existing in years past would continue. I think it is a very serious matter, almost verging on an outrage, to deprive the people of Boston of the rights they have heretofore had to enjoy the accommodations at L Street free. We all agree that there should be proper covering, such as the rules and regulations may prescribe, for which there shall be a proper charge if the bathers do not furnish their own equipment, and that there shall be a charge for towels; but certainly the people should be allowed to use the L Street Bath, as well as the other bath houses in the city, without a charge for admission. I never heard of such a proposition as is advanced by the Bath Trustees to-day. I don't believe there is any city in the country along the water front but what offers these bathing facilities to the people free of charge. I think I am ordinarily as careful as the average member of the Board in refraining from voting away carelessly the money of the city, but this is a proposition that I think the people will not stand for, and I don't think the Board should stand for it. I think the department is making a great mistake in charging the people for the use of the L Street Bath. I certainly feel that when they realize what the sentiment of the people is, as voiced by the Council, they will reverse their action and will throw the bath house open to the public without any charge for admission.

Coun. HALE—Mr. President, so far as my personal opinion in this matter is concerned, I think what Coun. Kenny has said is entirely true. We have had for years and years this policy of affording baths to the citizens without charging fees, and I think to reverse the policy is an important step and should be carefully considered. I think Coun. Smith has not quite correctly characterized the matter when he seems to consider it as parallel with the swanboat proposition. It seems to me, as far as the city is concerned, that swanboat privileges might be considered more nearly on the basis of skating rink privileges, and it does not seem to me that bath houses are quite within the same scope. There is much to be said for the ground Coun. McDonald takes, that we should not charge for the privilege of bathing in the Atlantic Ocean or for the mere use of a bath house alongside of the ocean. But I suppose the Bath Trustees have given very serious consideration to the proposition, and I think, with an important matter like this, we might well refer the whole question to the Finance Commission, getting their opinion before we act. I would, therefore, like to move that the matter be so referred.

Coun. SMITH—Mr. President, I am very sorry that Coun. Hale has made this Lohengrin entrance into the debate, but generally speaking I would heartily approve of his attitude, as far as the suggestion that we should look into the matter further is concerned. But it seems to me, as some of the Council here are very much interested in this matter, that they can perhaps give us the information without referring it to the Finance Commission, who are already overburdened. The babit of referring everything, even minor matters like this, to the Finance Commission seems to be growing to an alarming extent. Therefore I should like to ask Coun. Kenny, who spoke of what other cities along the Atlantic coast do, what the conditions there are? I will not ask him this if he objects to such a question in open debate, but if he is ready to answer I shall be glad to hear from him how the work is carried on, whether they have absolutely free bath houses in other cities along the coast?

Coun. KENNY—Mr. President, so far as I may be able to do so I shall be very glad to answer the gentleman. I should be very much surprised to find that any of the cities along the coast commencing at Portland and going down to New York made any charge for bathing along the water front. I know when we go along the East river we see boys in bathing with trunks and having police protection. I am very sure that no charge is made. I think that holds good of Providence and of Newport.

Coun. SMITH—Mr. President, might it not be courteous for this Council to hear the two sides of the question? It seems to me that we should not take action without hearing the Bath Trustees in the matter. I know tbey were considering it at least a month ago, and their action must have been taken with a great deal of knowledge and after going into considerable detail. It seems to me we should at least hear them before we actively pass this resolution. I should like to amend, that we lay this on the table pending hearing from the Bath Trustees.

Coun. Smith's motion to lay on the table was declared lost by a rising vote, 2 to 5.

Coun. Hale's motion to refer the resolution and order to the Finance Commission, witb a request to report back to the City Council, was lost by a rising vote, 2 to 5.

The question came on the adoption of the resolution and order.

Coun. SMITH—Mr. President, I should like to state definitely before casting my ballot against this that I do so not so much on the merits of the question as through lack of knowing both sides of the question. I think the Council is hasty in its conclusion. I for one do not know the attitude of the Bath Trustees or the reasons guiding them in passing the regulation concerning L Street, and in absence of the facts I am obliged to vote "no."

Coun. HALE—Mr. President, I should like to say something on this matter, too. We had in Executive Committee a few minutes ago a discussion on the high pressure system which has been before us. The bill was passed by the Legislature two weeks ago, but practically the identical bill has been before the Legislature for a long time. It has been before the people of tbe city for a long time and we have had a report of the Finance Commission on a bill almost identical. Yet we felt that we were unable, for fear of acting hastily, to pass that measure to-day. I do not see why we cannot treat this in the same manner, giving a hearing to the Bath Trustees. Although, as I have said, I am in favor of the proposition embodied in the resolution and order before us, I would like to give the Bath Trustees a chance to convince me that I am wrong. I think as a matter of courtesy to them, and in order to be consistent with our attitude on other projects, that we should give them a chance to be heard. This has been stated by the people who are in favor of the action proposed to-day to be a tremendously important matter. That being so, we ought not to act hastily, but should give the Bath Trustees a chance to come in and state their reasons. No possible harm can be done by delaying action upon the matter for a week. They can come in before next Monday and state their reasons, and we can act upon the matter then. I think, out of courtesy to them and in justice to our own dignity, we should not pass upon the matter without hearing from them.

Coun. KENNY—Mr. President, I cannot see what connection this matter has with our desire to refer to the Finance Commission for consideration a bill enacted by the Legislature and put up to the City Council. I suppose when the Legislature passed the bill in regard to the high pressure service it expected the City Council to consider the matter thoroughly in all its phases before putting the stamp of its approval on it. That is an act of the Legislature. What has that to do with this resolution and order? We are all citizens of Boston and we know the conditions existing in Boston. We know what our experience has been in the past in connection with this bath house matter. In this resolution and order we are simply stating our belief that the Bath Trustees are making a mistake in taking the action they have taken. I certainly feel that the proposed action is an outrage. I take that stand in regard to L Street or any bathing facilities offered by the city on the water front or inland. I think the proposition is absolutely absurd, and there is certainly no parallel between the action we propose to take on this matter and the question of accepting the act of the Legislature in regard to the high pressure service.

Coun. SMITH—Mr. President, in answer to Coun. Kenny I would say that I think Coun. Hale's remarks concerning the high pressure water service are directly in point. There is an evident difference in the attitude of the Council toward certain matters. It has struck me right along that on certain matters that did not have a popular side, that did not mean votes, that would not prejudice the members of the Council in the minds of the public, the attitude of the Council has been that of procrastination. On matters that do have a popular side and that may mean votes, the attitude of the Council has been entirely different. As far as the high pressure service is concerned, that matter has been before the public two years. It has been passed upon by former Fire Commissioners, has been passed upon by the present commissioner, has been passed upon by the Chamber of Commerce, by the Finance Commission, and by this Council, as mentioned in the Executive Committee. Yet, because the matter was only thirteen days old from the Legislature, we asked the Finance Commission to make another report on the same matter and deferred action upon it for a week in spite of the fact that the present Fire Commissioner is most anxious to get the measure through, in spite of the fact that we see almost every year conflagrations that may at any time threaten this city have same as other cities, in spite of the fact that we have seen disastrous fires such as we may have here, because of the lack of just such facilities as would be provided by this legislation, in Chelsea, San Francisco, Baltimore and Bangor. And yet we cannot take prompt action upon a matter that has been dealt with by other public bodies, that has been considered very carefully by the citizens of this city, and individually by this Board. On the other hand, when we come to a measure like this bath house measure, brought up in the last hour, the Council is ready to act in a moment on a matter which is certainly absolutely new to me, which I have only talked of casually with one of the Bath Trustees. We are asked to make a quick decision upon it without hearing both sides of the question, and we are simply asked to do so because everyone knows that it is a popular measure and that if I stand up and vote "no" on the measure it prejudices me in the eyes of the people of Boston, that everyone in South Boston, particularly the constituency of the gentleman on the right (Mr. Kenny) will say: "He is against South Boston; they are levying an unjust tax on us for our bath privileges, which we ought to have free." And I will be put in the position of not favoring the common people in the matter of bath privileges. I am going to vote "no" on this in spite of that prejudice, and I am going to vote "no" simply because I don't know both sides of the question. If the Council was fair it would pass the measure in regard to fire protection, which the city needs fully as much as bath privileges, and would not insist upon the passage of this measure—although it may be a good measure—to-day. It can very well wait until next Monday, when we can have the facts laid before us by the Bath Trustees, the Finance Commission or somebody representing the other side. Therefore I think the Council is open to criticism, not because it favors one measure and not the other, but because of its attitude on a popular measure as contrasted with a measure that is of great importance to the city.

Coun. McDONALD—Mr. President, I don't see what this has to do with high pressure service, the act passed by the Legislature which has been sent to the Finance Commission for report. I understood the councilor to say when he first spoke against my resolution and order that he did so because he thought the citizens of Boston were now receiving luxuries at the expense of the taxpayers that they should not receive, that he did not think they should have the privilege of using the L Street Bath free. He did not say he objected to the resolution and order because he did not know whether the Bath Trustees had given the necessary time to the consideration of this matter or not, and he did not say it was because he did not know anything about the facts of the case. He admits now that he talked with one of the Bath Trustees about it, and I suppose he told him that the outside people, the nonresidents of Boston, were getting a privilege they were not entitled to. I tell him that because some nonresidents patronize the L Street Baths we should not charge those who are residents of Boston, and who comprise 90 per cent of those who patronize the L Street Baths, a fee for admission which they should not be charged. They should not suffer because of nonresidents. I don't care whether he wants to apologize for his vote or not. That is none of the Council's business. But I think this is a resolution that we should pass to-day. The Bath Trustees have put this regulation into force; people are using the L Street Bath, and the resolution is in effect. The Bath Trustees may not take any notice of the resolution, but I say, as a member of the Council and as a citizen of Boston who at different times during the year patronizes the L Street Bath, that I should not be compelled to pay for the privilege of using the ocean, as the councilor has said. I don't think it is a luxury. I think it is a privilege that the citizens of Boston have always had, taking a free bath in the summer, and I believe the City of Boston should continue to permit them to have it free. If the gentleman from Ward 11 (Coun. Hale) or the gentleman on my right (Coun. Smith) desires to be placed right before voting, I do not object. I am not trying to put either of them in a hole, and I don't think anybody here is trying to do so. I am going to vote for the resolution to-day and I am going to insist on its being acted upon to-day, as far as I am able to do so, because I think it should be passed to-day and that we should at least ask the Bath Trustees to reduce the fee, to cut out the charge for admission, so that citizens of Boston will not be required to pay five cents for using a bath that should be free.

Coun. KENNY—Mr. President, I would like to say in reply to my friend from Ward 11 who sits on the left (Coun. Smith) that I think his language has been in very poor taste and has been extravagant. I don't know just what he means by his reference to the popular side of this matter. So far as I am concerned, I am not fishing for votes, and I think my record in this Board will bear out that statement. I am not considering the question whether this has a popular side or an unpopular side, and I trust that the gentleman may not be doing so. He may answer that question for himself. I don't care whether it is popular or unpopular. I have never cast a vote in the year and four or five months that I have been here predicated on that thought one way or the other. I say the action of the Bath Trustees in charging the citizens of Boston for going over there and using the beach is nothing short of an outrage. I don't care whether every member here disagrees with me in that view—that is my opinion, and I am not afraid to say so. In regard to this other matter that has been brought in here—the question being raised why we did not to-day accept an act of the Legislature that was passed no doubt by the Legislature after mature reflection and submitted to the City Council for approval or disapproval—that involves an entirely different question. When the gentleman asks why we did not accept that act to-day, I simply reply that I should like to see the act of the Legislature that I would vote to accept immediately upon its first presentation to this body. I should like to see the act that I would vote upon the very first day it came before us, without the slightest consideration. I will not be taunted with not doing my duty simply because I refuse to vote to accept any act of the Legislature without any consideration whatever the very moment it comes before us. When did the Finance Commission approve of that act? When have other bodies approved of that act? When have we had a chance to pass upon that act so that we could intelligently approve of it? It is true that the different bodies to which the gentleman refers have approved of action looking towards the improvement of our high pressure system, and it is true that the Legislature, after mature consideration, has passed that act which is now before us in concrete form. That act is now before us for consideration and for approval or disapproval. I propose, and other members propose, that the Finance Commission shall express its judgment in regard to that act; and our duty requires that we shall properly consider that act before we approve or disapprove of it. I say again that I think the remarks of my friend were in very poor taste— in very bad taste, indeed.

Coun. SMITH—Mr. President, I am sorry that my friend on the right should take such umbrage at what I have said. Yet it may be just as well, because it stirs the matter up in just the way that I want to bring it up. I shall not retract what I have said. I was willing, upon a matter which involved a million dollars, to wait a week, in deference to the Executive Committee, although this high pressure matter is an exceedingly important matter, and has been thoroughly considered by the city at large, by this Council, by various public bodies, which have all united in favor of it. But upon this matter, in regard to which there is no

necessity at all for haste, he is anxious that immediate action be taken, without hearing both sides. I was perfectly willing to join in waiting until a report had been made upon that high pressure matter for a second time by the Finance Commission, waiting an indefinite time—for I believe it is not even limited for one week—and I see no reason why he should not show me the same deference, not trying to force upon me a vote this afternoon on a matter of which I am entirely ignorant except for the very casual mention of one of the Bath Trustees. If he is not willing to show me that deference and if the majority of this Board are not willing to show me that deference, I bow to the will of the majority, but at the same time I do not retract the statements I made a few moments before.

Coun. KENNY—Mr. President, I am going to say another word on the matter. At the executive meeting this afternoon we had before us Commissioner Daly and one of the engineers, Mr. McInnis. Mr. McInnis stated that the installation of this high pressure service could not commence until next spring, if I remember rightly. If I am wrong I ask to be corrected. The committee this afternoon stated—at least I as one member stated, and I think at least one other member joined with me—that so far as we understood the situation we were in favor of accepting the proposition before us, but as a matter of protection we felt that we were entitled to at least have the Finance Commission say that this was a proper act for us to accept. I trust that the gentleman will not try to distort my position upon this matter by saying that I at one time assented to or voted for a resolution in favor of some such act as the Legislature has passed for our acceptance. Of course I did, and I expect next Monday, unless something unforeseen affords a reason to the contrary, to vote to accept the act. But as a matter of precaution I shall always favor referring matters of that kind to the Finance Commission, a body created for the very purpose of making such examination and investigation, to assist us in arriving at a proper determination ourselves.

Coun. HALE—Mr. President, we have had a great deal of excitement on this matter, but I feel sure that the Council will be fair on the whole proposition. I understand that the fees go into effect at once, Coun. McDonald?

Coun. McDONALD—So I understand.

Coun. HALE—I would like to suggest action which I think will probably satisfy everybody—that we ask the Bath Trustees to hold up their change of policy until they have had a chance to confer with us, and that we then arrange for a conference with the Bath Trustees so that we can hear both sides. I am sure none of the members want to decide any question until they have heard both sides, no matter how much they may think they are in favor of it. No judge, no lawyer, certainly no member of a City Council, should decide any question without having a chance to hear both sides. I feel that, out of courtesy to us, the Bath Trustees will postpone action upon the matter until they have had a chance to hear our ideas and we have had a chance to hear theirs, and I hope very much that such action will be taken. I move that the matter be referred to the Bath Trustees with a request to postpone this change of policy until we have had a chance to confer with them and that they be requested to come down and confer with us some night this week or at least next Monday.

Coun. BALLANTYNE—Mr. President, I did not intend to say a word on the question at all. I think too much time has already been consumed in the discussion of it. But I heartily oppose Coun. Hale's motion that we ask the trustees to hold up this order for a certain time until we have had a chance to confer with them. If the Bath Trustees were here now, no matter what they might say, they could not change my opinion. My opinion is this, that where you have a free bath house it ought to be free and that the City of Boston should not charge one cent for admission to one of its bath houses. That is the stand I take and that I will continue to take, no matter what opinion the whole Board of Trustees of the Bath Department might express in the matter, and I am prepared to vote for the resolution presented to-day.

Coun. SMITH—Will the gentleman answer a question?

Coun. BALLANTYNE—I will if I can.

Coun. SMITH—Would Coun. Ballantyne be willing to tell me whether he would defer his vote, definite though his opinion may be, until next Monday?

Coun. BALLANTYNE—I am prepared to vote on the question now.

Coun. SMITH—That was not my question. The question I asked was, whether he was willing to defer that vote until next Monday?

Coun. BALLANTYNE—I am not. If I thought there was any chance of my changing my mind on this proposition I would be willing to give way or one week, but one week or a month would not change my mind upon it.

Coun. SMITH—Of course, that was not what I had in my mind. It was not that Coun. Ballantyne might change his mind, looking at it from his personal point of view, but I asked him that question thinking that he might look at the matter of putting this over for a week from my point of view. I do not know the facts. In deference to me would he put off his vote for one week?

Coun. BALLANTYNE—I don't know the facts any more than Mr. Smith knows them. I have not had any interview with any member of the Bath Trustees, I have not talked the matter over with any member of the Council. The first intimation I got was when the order was read. I thought it was a just order and I am prepared to vote for it. I am prepared to vote for such orders at all times, where we have free institutions and the trustees change their rule and make a charge for admission to them.

Coun. HALE—Mr President, I would like to simply say in other words what Mr. Smith has said, that ever since I have been in the City Council it has been the custom where it was possible without injury to anybody's rights, as in this case, as a matter of courtesy to grant any member a week's delay in a case like this. I hope this Council will be as courteous in that respect as the Board of Aldermen I was in two years ago and as last year's City Council, and I am sure it will be. I am sure, by wording the thing as I have suggested, no injustice will be done to anybody and that courtesy will be extended to the whole Council.

Coun. Hale's motion, that the Bath Trustees be requested to suspend the operation of the rule for at least one week and that in the meantime they meet the City Council and confer concerning the matter, was lost by a rising vote, 2 to 5.

The resolution and order were adopted, yeas 6, nays 2:

Yeas—Coun. Attridge, Ballantyne, Buckley, Collins, Kenney, McDonald—6.

Nays—Coun. Hale, Smith—2.

REMOVAL OF HOUSEHOLD REFUSE.

Coun. BUCKLEY offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to restore the days in springtime for the placing of refuse on the streets by residents in the congested districts.

Coun. BUCKLEY—Mr. President, I do not propose to take up the time of the Council talking at this late hour. But this is a custom that used to obtain in years past, particularly in the congested districts like Charlestown, South Boston and the North and West Ends, districts of that sort, where about the first of May each year the people had so many days in which to put their refuse, such as old mattresses, and so on, on the streets in barrels. In the last few years they have not been able to do that, and it seems that they should have that right. I don't call it a privilege, because I don't think it is a privilege. I think it is a right that the people ought to have, in order to get such refuse out of their cellars and other places where it is stored. I hope the order will go through.

Coun. BALLANTYNE—Mr. President, I want to say a word in favor of this order. This is a custom that has prevailed in the City of Boston for a great many years. I think during the first week in May the householders in the various districts were allowed to put their house refuse out on the sidewalks, and it was taken away during the day time. That rule was revoked some two or three years ago. I believe in the interest of the health of the people of Boston it should be restored. Those of us who have occasion to go through the tenement house districts and down in the cellars and yards know the amount of old refuse, mattresses, and so on, that collects, as Coun. Buckley has said. A great deal of household refuse is stored away in odd corners because the people will not go to the expense of carting it off themselves and the ashman will not take it from them. It does not mean a great deal of expense for the city

to go back to the old rule and remove those articles of refuse within certain times, within probably one week in the early summer, and I hope the order will pass.

The order was passed.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Reports on petitions (severally referred to-day) for sidewalks—recommending the passage of orders that the Commissioner of Public Works make sidewalks along the following named streets, in front of the hereinafter mentioned estates; said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built as hereinafter specified, with granite edgestones, under the provisions of chapter 437 of the Acts of 1893, viz.:

Brick.

Annie E. Sawyer, 702–704 East Sixth street, Ward 14.

Starratt, Fields Company, 32–36 Southampton street and 805–809 Massachusetts avenue, Ward 18.

Gravel with Granite Edgestone.

J. W. McEnany, 80–84 Edson street, Ward 24.

Artificial Stone with Granite Edgestone.

Wells Brothers, agents, on Batterymarch, High, Oliver and Wendell streets, Ward 7.

Benjamin Devine, 39 Hemenway street, Ward 10.

Dr. H. F. Sears, on Beacon and Brimmer streets, Ward 11.

E. J. Ball, 224 West Newton street, Ward 12.

Cyrene E. Young, 889–897 Dorchester avenue, Ward 16.

Clarence H. Waldman, 153–155 Howard avenue, Ward 16.

George V. Wattendorf, 54 Edison green, Ward 16.

Silverman & Shapira, 77–91 Fayston street, Ward 20.

F. A. Bradford, 22–26 Jerome street, Ward 20.

Augustine L. Rafter, 41 School street, Ward 20.

John Schneider, 17 Harold street, Ward 21.

Thomas F. Mahan, 125–129 Humboldt avenue, Ward 21.

Margaret A. Curley *et al.*, 67 Armandine street, Ward 24.

E. Lanning, 305 Ashmont street, Ward 24.

James P. McShane, Beale street, Ward 24.

Richard R. Walsh, 5 Beale street, Ward 24.

James Kelly, 6 Beale street, Ward 24.

Mary Malleski, 9 Beale street, Ward 24.

Domenico De Stefano, 909 Blue Hill avenue, Ward 24.

Eugene F. Sullivan, 28 Edson street, Ward 24.

J. P. Archdeacon, 115 Neponset avenue, Ward 24.

Reports accepted; orders severally passed.

(2) Reports on petitions (severally referred to-day) for permits for children under fifteen years of age to appear at various places of amusement—that permits be granted, viz.:

Mrs. Eldridge, for children to appear at Emanuel Church on the evening of May 9.

Edith Russell for children to appear at Kossuth Hall on the eveninig of May 10.

Charles W. Moulton, for permit for children to appear at Steinert Hall on the evening of June 2.

Isabel Florence, for children to appear at Huntington Chambers Hall on the evening of May 27.

Reports accepted; permits granted on usual conditions.

(3) Report on message of Mayor and communication (referred to-day) furnishing the Council with a plan of the proposed high pressure service, showing stations, pumps and mains—recommending reference to the Finance Commission for their consideration.

Report accepted; said reference ordered.

(4) Report on message of Mayor, communication from Fire Commissioner, act, etc. (referred May 1), relative to high pressure fire service—recommending reference to the Finance Commission for a report and recommendation.

Report accepted; said reference ordered.

(5) Report on message of Mayor and invitation (referred to-day) to attend memorial service held by the First Massachusetts Volunteer Infantry Association in honor of their deceased comrades on Sunday afternoon, May 21—that the City Clerk acknowledge receipt of invitation with the thanks of the Council, the communications to be placed on file.

Report accepted; said recommendation adopted.

(6) Report on message of Mayor (referred May 1) relative to committee of City Council on celebration of Independence Day—recommending the passage of the following:

Ordered, That the President of the City Council appoint a committee of three members to confer with the officers of the United Improvement Association, and such other local organizations as may seem proper, with a view to outlining and arranging the celebration of Independence Day.

Report accepted; order passed, President COLLINS appointing Coun. Ballantyne, Buckley and Attridge said committee.

(7) Report on resolve (referred to-day) that his Honor the Mayor should send appointment to Civil Service Commission for vacancy existing in the Board of Health—recommending the passage of the resolve in the following new draft:

Resolved, That it is the opinion of the City Council that his Honor the Mayor should immediately send an appointment to the Civil Service Commission for the vacancy existing in the Board of Health since August 8, 1910.

Report accepted; said resolution adopted by a rising vote, 4 to 2.

GENERAL RECONSIDERATION.

On motion of Coun. BALLANTYNE the Council refused a general reconsideration of all action taken to-day.

Adjourned, on motion of Coun BUCKLEY, at 6.30 p. m., to meet on Monday, May 15, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 15, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair. Absent—Coun. Hale.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894 (the Mayor being absent), viz.:

Six grand jurors, United States Circuit Court, to appear May 23, 1911:

Patrick O'Hearn, Ward 20; Joseph M. Milford, Ward 18; Matthew J. Plunkett, Ward 14; Frank A. Willhauck, Ward 19; William G. Jordan, Ward 22; Leland A. Whitney, Ward 4.

Ten traverse jurors, Superior Civil Court, Third Session, April Sitting, to appear May 22, 1911:

William Slattery, Ward 23; Peter J. Brennan, Ward 21; James J. Murphy, Ward 1; Ralph B. Williams, Ward 11; Walter L. Hobbs, Ward 10; James J. Kirby, Ward 15; Jacob Slutsky, Ward 6; Albert C. Holm, Ward 22; John E. Gunnison, Ward 1; William J. Barta, Ward 23.

Eight traverse jurors, Superior Civil Court, Fourth Session, April Sitting, to appear May 24, 1911:

Stephen W. B. Crowell, Ward 24; James P. Cullinane, Ward 4; Mathew H. Ennis, Ward 8; George W. Dow, Ward 23; Frank Blackwood Fay, Ward 11; John Burns, Ward 8; Henry A. Fraser, Ward 22; John J. O'Rourke, Ward 17.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments, viz.:

(1) Chester A. Bailey (83 Harvard street, Brookline), William Cohen (44 Everett street, Ward 3), Charles A. Hardy (51 Simpson avenue, Somerville), Francis H. Hughes (93 Tudor street, Ward 13), Daniel F. Hurley (75 Porter street, Ward 2), Robert Langal (Bonair street, Somerville), Edward Rodgers (8A Frothingham avenue, Ward 5), John D. Smith (27 Nelson street, Quincy) and Frederick J. Swendeman (30 Gibson street, Ward 24), Weighers of Coal for the term ending April 30, 1912.

(2) Samuel Bennett (34 Monument square, Ward 3), John Hurley (24 Monument avenue, Ward 5), Timothy J. Sullivan (59 Chelsea street, Ward 5), George Secor (12 Pinckney street, Somerville), Walter S. Hall (448 Medford street, Somerville), William S. Jewett (199 Williams avenue, Lynn), Charles F. Davis (63 Lovett street, Beverly), Forest O. Mitchell (30 Monument avenue, Ward 5), William Seeley (17 Crescent avenue, North Somerville), Charles B. Harris (5 Avalon terrace, Revere), Louis L. Berry (218 Elm street, Everett), Eugene Sheridan (133 Fenno street, Revere), William F. Mahoney (1 Dover street, North Cambridge), Everett S. Vradenburgh (1 Grant Street place, Waltham), William W. Gordon (300 Broadway, Revere) and James K. Farry (1 Harvard place, Ward 5), Inspectors of Pressed or Bundled Hay and Straw for the term ending April 30, 1912.

Severally laid over under the law.

APPOINTMENT OF NEIL McNEIL.

The following was received:

City of Boston,
Office of the Mayor, May 10, 1911.

To the City Council:

In accordance with the provisions of chapter 631 of the Acts of 1910, I hereby appoint, subject to your approval, Neil McNeil (59 Stanley street, Ward 20), a member of the Board of Appeal for the term ending July 31, 1916.

The term expiring this year in the membership of the Board is to be filled from a selection to be made by me from two candidates, one nominated by the Master Builders' Association and the other by the Contractors' and Builders' Association. Under date of April 7, 1911, both of these organizations, through their secretaries, were requested to make nominations, in order that the provisions of the act might be complied with. I append a communication from the Master Builders' Association, presenting the name of Mr. McNeil. The Contractors' and Builders' Association has not submitted a nomination, and its secretary states that the members of the organization are disinclined to do so. Under the circumstances I submit Mr. McNeil's name for confirmation by your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Master Builders' Association of Boston,
Secretary's Office, Boston, April 15, 1911.

John F. Fitzgerald, Esq.,
Mayor of Boston:

Your Honor,—Referring to your letter under date of April 7, I am instructed to present the name of Mr. Neil McNeil as our choice as a member of the Board of Appeal under the building laws.

Yours respectfully,
RICHARD H. SAYWARD, Secretary.

Laid over under the law.

STATEMENTS FROM DEPARTMENTS.

The following was received:

City of Boston,
Office of the Mayor, May 15, 1911.

To the City Council:

I beg to submit the statements made by the different departments in reply to the requests and suggestions offered at the district meetings held in the city proper, Brighton, Charlestown, East Boston, Dorchester, Roxbury, South Boston and West Roxbury, on February 6, 8, 10, 13, 14, 15 and 16, 1911. I trust the material in these statements will be found of value in making known to you the need of the different sections of the city and the opinions of the heads of departments upon the cost, feasibility and importance of these various undertakings. In drafting a loan bill the estimates furnished will be particularly useful for purposes of reference.

Yours very truly,
JOHN F. FITZGERALD, Mayor.

Referred to the Committee on Finance.

REPAIR OF PIERS, NORTH END PARK.

The following was received:

City of Boston,
Office of the Mayor, May 15, 1911.

To the City Council:

In transmitting the accompanying letter from the chairman of the Bath Trustees I beg to indorse his opinion that an additional appropriation of five thousand dollars ($5,000) is needed to complete the repairs upon the piers at North End Park, and recommend the passage of an order which I have drafted for this purpose.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Bath Department,
Boston, Mass., May 15, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

My dear Sir,—I beg to call to your attention the advisability of thoroughly renovating the planking and guard rails and piling of the piers at North End Park, which are in a very dangerous condition. An estimate of $10,000 has been received from the Engineering Department for doing this work and putting the piers in a safe condition. We have

ALLIED PRINTING TRADES UNION LABEL COUNCIL BOSTON, MASS.

now on hand a balance from the special North End Park appropriation of approximately $5,000, only one-half the amount required to do this work.

I respectfully request, therefore, that an additional appropriation of $5,000 he given us to complete the work, which is of a most urgent nature.

Very truly yours,
RICHARD M. WALSH,
Chairman Bath Trustees.

—

Ordered, That the sum of five thousand dollars ($5,000) be appropriated, to he added to the appropriation for North End Pier, Buildings, etc., and that to meet said appropriation the City Treasurer he authorized, with the approval of the Mayor, to issue honds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

TRANSFER FOR CITY HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, May 13, 1911.

To the City Council:

I transmit herewith a letter from the president of the Board of Hospital Trustees, accompanied by a statement from Messrs. Densmore & LeClear. For the reasons given in his communication the president of the Board requests that the halances remaining in three special appropriations for Fireproofing of Engine Room Building, New Electrical Machines and New Electric Wiring he transferred to the original appropriation for City Hospital, Fireproofing. I am advised by the City Auditor that this transfer is desirahle and recommend that the appended order he passed by your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

The Boston City Hospital,
Boston, May 9, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—I herewith transmit a copy of a letter from Densmore & LeClear, engineers for fireproofing the power house and doing certain other work. It will be seen from this letter that certain items for which proposals have heen made exceed the appropriation, whereas certain other items fall short of the appropriation. It would therefore seem advisahle, if your Honor consents, that the halances remaining in the four special appropriations, City Hospital Fireproofing, Fireproofing Engine Room Building, New Wiring and New Electrical Machines, be consolidated in one appropriation to be termed "Appropriation for Fireproofing at the Boston City Hospital and Work Incidental Thereto." Mr. Mitchell, the City Auditor, says he will approve of this transfer. It will not necessitate any additional outlay of money to the city, and will expedite the work and simplify the hookkeeping to a very great extent.

I have the honor to remain, on bchalf of the trustees,

Very respectfully yours,
A. SHUMAN,
President Board of Trustees.

—

Densmore & LeClear,
Engineers and Architects,
88 Broad Street,
Boston, Mass., May 6, 1911.

A. Shuman, President,
Boston City Hospital,
Boston, Mass.:

Dear Sir,—Proposals were received at noon, May 2, for fireproofing the engine room, new electric generator and engine, switch board, steam fitting, etc., the intended work being a continuation of the work hegun last fall. All of this work comes under the appropriation of $50,000, which appropriation was divided as follows:

Fireproofing of engine room building	$25,000 00
New electrical machines	10,500 00
New electric wiring	14,500 00
Total	$50,000 00

A contract for electric wiring of approximately $10,000 has already been awarded and the work practically completed, the cost of the work heing taken from this appropriation. There is therefore a halance of approximately $40,000 left to he spent. In accordance with our various conversations with you and the vote of the trustees, we have prepared plans and specifications and advertised for hids on the work which it was deemed advisahle to do under this appropriation. It was not possihle, in planning this work, to follow the exact division of the appropriation, and further work, not actually included in the wording of the appropriation, hut similar in character, had in some cases to be included. Specifications and plans were prepared for bids under four heads, as follows:

1. Specifications for Fireproofing Power House and Other Construction Work.

The work included under this specification is fireproofing of floor and roof space in power house, lowering level of hasement floor in power house, foundation for new generator unit, and also construction work in connection with the extension of the tunnel system for pipes near the laundry building.

2. Specifications for New Generator, Switch Board and Electric Wiring.

The work included under this specification is the new generator and switch hoard, the connections for the new generator, and also the rewiring of the entire power house, which is necessitated on account of the fireproofing work. Some connections are also included hetween the power house and the switch hoard in Pavilion III. It is to be horne in mind that the electric work already completed under the old contract was for the wiring work in the hospital huildings and corridors, which was done in conjunction with the fireproofing work recently completed in these corridors and buildings.

3. Specifications for New Engine.

The work included under this specification is for the new engine only and does not include the generator, which is furnished as ahovc under the electrical contract.

4. Specifications for Steam Fitting Work.

The work included under this specification is the piping work in the power house necessitated by the changes and hy the installation of the new engine, piping work and connections with the new tunnel work in front of the laundry huilding, changes and additions to the existing service piping in the huilding corridors. This latter work in the huilding corridors includes new service piping and repairs to the old piping, starting from the laundry building and extending through the main pipe tunnels to the surgical huilding on one side and the medical buildings on the other.

Bids were received on the ahove specifications after advertising, and several bids were received on each part of the work. These hids were opened at the hospital office, and a summary of the bids is in the hands of Doctor McCollom. We give helow the lowest bidder for each part of the work:

NATURE OF WORK.	Name of Bidder.	Price.
Fireproofing work	John A. Rooney	$13,370 00
Electric wiring	Lord Electric Company	10,750 00
Engine	Ames Iron Works	2,600 00
Steam fitting	Bradlee & Chatman Company	12,543 00
Total		$39,263 00

The total of these bids, as given above, is $39,263, which is within the amount available from the appropriation.

It is to be noted, however, that the bids received are not in accordance with the division of the appropriation. As explained above, it was not possible to carry out the work within the division stipulated, but the work, as specified, is under the same general headings included in the appropriation.

Very truly yours,
DENSMORE & LECLEAR.

—

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer the balances of three special appropriations for Fireproofing of Engine Room Building, New Electrical Machines and New Electric Wiring to the appropriation for City Hospital, Fireproofing.

Referred to the Executive Committee.

PLAYGROUND, MEETING HOUSE HILL.

The following was received:

City of Boston,
Office of the Mayor, May 13, 1911.

To the City Council:

I beg to transmit a letter from the secretary of the Meeting House Hill Association, requesting that an appropriation of fifty thousand dollars ($50,000) for the purchase of a playground in the Meeting House Hill district be included in the loan bill this year, if such a bill is passed by your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Meeting House Hill Improvement Association,
May 9, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—The Meeting House Hill Improvement Association at its monthly meeting May 5, 1911, placed itself on record as favoring an annual loan bill, said loan bill to include in its items for this year $50,000 for a playground on Mount Ida.

Yours very truly,
JOSEPH C. O'KANE, Secretary.

Referred to the Executive Committee.

TRANSFER FOR BROADWAY BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, May 9, 1911.

To the City Council:

In compliance with the request of the Commissioner of Public Works, based upon the recommendation of the Division Engineer of the Bridge and Ferry Division, as expressed in the accompanying communication, I have drafted an order providing for the transfer of the sum of six hundred and fifty-seven dollars and two cents ($657.02) from the appropriation for the Reserve Fund to the appropriation for Broadway Bridge over the Boston & Albany Railroad, and recommend that this transfer be made.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Works Department, May 8, 1911.

Mr. L. K. Rourke,
Commissioner of Public Works:

Dear Sir,—There is needed, over the balance remaining of the appropriation for Repairs to Broadway Bridge over the Boston & Albany Railroad the sum of $657.02.

I respectfully suggest that his Honor the Mayor be asked to arrange for the transfer of this amount to meet the deficit.

Respectfully,
FREDERIC H. FAY,
Division Engineer.

—

Respectfully referred to the Honorable the Mayor, with request that he arrange for the appropriation of the amount required to meet deficit above specified.

L. K. ROURKE,
Commissioner of Public Works.

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer the sum of six hundred and fifty-seven dollars and two cents ($657.02) from the appropriation for the Reserve Fund to the appropriation for Broadway Bridge over the Boston & Albany Railroad.

Referred to the Executive Committee.

INSPECTOR FOR ELEVATORS.

The following was received:

City of Boston,
Office of the Mayor, May 15, 1911.

To the City Council:

I beg to transmit a letter from the Building Commissioner, requesting that one inspector be added to the elevator inspection division of his department, and recommend for passage the accompanying order, appropriating the sum of one thousand six hundred dollars ($1,600) for this purpose.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Building Department, May 12, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

Sir,—I feel that the elevator inspection division of this department should be strengthened by the addition of at least one inspector, there being but two inspectors at present assigned to that work to assist the supervisor. The amount of the appropriation for this department does not afford this expenditure and I submit to you the advisability of adding a sufficient sum to pay one man at least, at the rate of $1,600, for the remainder of the year

Yours respectfully,
ARTHUR G. EVERETT,
Building Commissioner.

—

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor he, and hereby is, authorized to transfer the sum of one thousand six hundred dollars from the appropriation for Reserve Fund to the appropriation for Building Department.

Referred to the Executive Committee.

CITY PLANNING CONFERENCE.

The following was received:

City of Boston,
Office of the Mayor, May 13, 1911.

To the City Council:

I beg to transmit a communication from Mr. C. Bertrand Thompson, organization secretary of Boston–1915, suggesting that the city invite the directors of the City Planning Conference to be held in Philadelphia, May 15, 16 and 17, to hold their next session in Boston in the spring of 1912. While I feel that such an invitation might properly be extended, I realize that the presence of so important a gathering in Boston would call for official recognition and the expenditure of a considerable sum. The city of Philadelphia has identified itself officially with the conference this year and has made an appropriation for an exhibit which is to be held in the rooms and corridors of the City Hall. Such an exhibit might properly be arranged on the occasion of a conference in Boston and would necessarily involve an appropriation sufficient to do justice to the importance of the affair. For this reason I respectfully ask for an expression of opinion upon the propriety of presenting the matter during the sessions of the conference, which I expect to attend in person.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

6 Beacon Street,
Boston, Mass., May 9, 1911.

Hon. John F. Fitzgerald,
Mayor, City of Boston:

Dear Mr. Mayor,—As you know, the National City Planning Conference is to meet in Philadelphia May 15, 16 and 17 of this year. I understand that the City of Boston will have at least three officially appointed delegates at that conference.

As city planning is a very live issue in this community at present, and is having attention concentrated upon it through Coun. Hale's ordinance providing for a plan and the agitation of various

organizations, including Boston–1915, the Chamber of Commerce, the Boston Society of Architects, the Joint Board of Metropolitan Improvements, permit me to suggest that it would be exceedingly appropriate to have the National City Planning Conference hold its next meeting in the City of Boston. The present meeting has the official indorsement of the city of Philadelphia and the exhibit in connection therewith is, as you know, financed by the city. It would be well for Boston to have the next conference and finance a city planning exposition on a large and comprehensive scale, of such a nature as to set a model for such expositions in America as Berlin has recently done in Europe.

Can you not, therefore, authorize your delegates officially to invite the conference to meet in Boston next spring, assuring its members at the same time that an effort will be made to provide entertainment and an adequate exhibit? I can assure you that there will be plenty of support from various individuals and organizations in the city behind any request you may make to the Council in this behalf.

I expect to attend this conference myself as the delegate of Boston–1915 and will, of course, be glad to urge upon the conference the acceptance of your invitation if tendered.

I am writing this letter personally and not as representing any organization, but I am assured by Mr. Leahy that it will have none the less of your courteous attention.

Respectfully yours,
BERTRAND C. THOMPSON,

Referred to the Executive Committee.

ANNIVERSARY OF NINTH REGIMENT.

The following was received:

City of Boston,
Office of the Mayor, May 15, 1911.

To the City Council:

In compliance with the request contained in the appended communication from the colonel of the Ninth Regiment of the Massachusetts Volunteer Militia, I recommend the passage of the accompanying order, which appropriates the sum of three hundred dollars ($300) for the reception of the surviving members of this regiment. Its glorious record in war and its close identification with the City of Boston are familiar to all the members of your honorable body and I scarcely need to urge upon you the propriety of accepting this recommendation for a moderate recognition of the services rendered by the Fighting Ninth.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

42 Summer Street, May 15, 1911.

Hon. John F. Fitzgerald,
City Hall, Boston, Mass.:

My dear Mr. Mayor,—I have the honor to request that the city government of Boston take official part in the semi-centennial of the departure of the Ninth Massachusetts Volunteers to their glorious career in the army of the Union. The Ninth was one of the first six regiments to leave Massachusetts for the full period of three years' service. The regiment was then and has ever been since a Boston regiment, as it was organized in Boston, mustered in here and from the close of the war the headquarters and most of the companies have been located in Boston. The Ninth Regiment, M. V. M., will celebrate the fiftieth anniversary of the old regiment on June 11, 1911, by a church service, street parade and banquet, and would be pleased to have the co-operation of the city government in making the affair a memorable success.

Very respectfully,
JOHN J. SULLIVAN,
Colonel Ninth Regiment Infantry.

—

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer the sum of three hundred dollars ($300) from the appropriation for Reserve Fund to the appropriation for Mayor, Public Celebrations, to be expended for the celebration of the fiftieth anniversary of the Ninth Regiment, M. V. M.

Referred to the Executive Committee.

MONEY FOR MUNICIPAL ATHLETIC ASSOCIATION.

The following was received:

City of Boston,
Office of the Mayor, May 13, 1911.

To the City Council:

It has been pointed out that owing to the uncertain status of the Bath Department, in view of the proposed ordinance consolidating it with three other departments, the order which I recommended at your last meeting, transferring the sum of two thousand dollars ($2,000) from the Reserve Fund to the appropriation for the Bath Department, should be amended so as to place this special appropriation under some more stable jurisdiction in which it would be free from the embarrassments incident to a change of control. For this reason I desire to suggest that the order in its present form be canceled and recommend that the accompanying order be adopted in its place.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That the sum of two thousand dollars ($2,000) be added to the appropriation for Mayor, Public Celebrations, to be expended in accordance with the program of the Municipal Athletic Association, and that said sum be met by taxes to the amount so appropriated, and be raised by tax on the polls and estates taxable in the City of Boston.

Referred to the Executive Committee.

PURCHASE OF NORTH END PROPERTY.

The following was received:

City of Boston,
Office of the Mayor, May 15, 1911.

To the City Council:

I am in receipt of a letter from Miss Lilian Marchant Skinner, of 157 Endicott street, who has pointed out that the property at 179–181 Salem street, at the corner of Tileston street, covering about two thousand five hundred (2,500) square feet, has recently changed hands, and that the present owners propose to erect a five-story tenement house, which will be a decided detriment to the neighborhood. As Tileston street is only twelve (12) feet wide and Salem street is very narrow, the result will be a complete blanketing of the North Bennet Street Industrial School as well as other neighboring houses.

Miss Skinner proposes to interest certain individuals in a proposition to collect money to purchase this estate, provided the city will contribute part of the expense. If her plan is successfully carried out, instead of a densely populated building with some twenty-five (25) families living together under conditions such as prevail too commonly throughout the North End, the district would acquire a playground or municipal building. The owner has recently released an option upon the property for thirty-four thousand dollars ($34,000), but building operations are now under way, and if the city acts it will be necessary to make the appropriation soon. I believe that Miss Skinner's proposal is worthy of consideration by the City Council and beg to suggest that your Committee on Playgrounds enter into communication with her and make some preliminary studies of her plan in anticipation of a definite statement on the result of her effort to obtain contributions.

Yours very truly,
JOHN F. FITZGERALD, Mayor.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Catherine Magee, to be paid sixty-four days' wages of her son, who died from injuries received while in the employ of the city.

Jeanne le Guiner, for a hearing on her claim on account of injuries received on Massachusetts avenue.

Philip Richenburg, to be paid for clothing sprayed with oil by one of the city machines.

Abraham Goldstein, for compensation for damage to team by a team of the Sanitary Division.

Ella E. Magee, for a hearing on her claim on account of damage to her clothing.

Nellie A. McDermott, for compensation for damage to clothing by wire projecting from tree corner C and East Fifth streets.

Executive.

Petitions for permits for children under fifteen years of age to appear at various places of amusement, viz.:

Mary F. Dowd, for children to appear at Steinert Hall, evening of June 13.

Herbert S. Weaver, for children to appear at Jordan Hall, evenings of May 20 and 22.

Boys' Reading Clubs, for children to appear at Newsboys' Club Hall, evening of May 26.

John P. Manning, for children to appear at the Arena, afternoon of May 30.

Frances Granger-Smith, for children to appear at Steinert Hall, May 26, June 7 and 12.

Boston Elevated Railway Company, for approval of location of proposed station on Washington street, at Green street, Jamaica Plain.

Old Colony Railroad Company, amending its petition relative to taking land of Sarah L. Pope heirs.

Petitions for sidewalks, viz.:

Charles F. Morrill, 257–271 Washington Street North and 1–3 Chamber street, Ward 5.

John W. Douse, 18 Mt. Everett street, Ward 20.

John W. Douse, 28 Mt. Everett street, Ward 20.

William H. Crosby, 428–434 Washington street, Ward 20.

Maynard D. Hazen, 23 Bradshaw street, Ward 20.

Charles E. Stratton, 1–3 Beale street, Ward 24.

Edward D. West, 13 Beale street, Ward 24.

James Meehan, 38 Dix street, Ward 24.

Charles M. Durland, 11 Wainwright street, Ward 24.

Robert Goode, Strathmore road and Englewood avenue, Ward 25.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the following constables' bonds:

Waldo H. Chandler, Julian Codman, Andrew J. Condon, Eugene S. Cronin, William G. Dolan, Francis J. Duffee, Francis A. Griffin, Antonio Longarini, Isaiah Paine, Jr., Henry C. Shrieves, Moses H. Steuer, William H. Swift.

Approved by the Council.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted by the Secretary of the Commonwealth were received.

Placed on file.

STORAGE OF OILS.

Notices were received that the hereinafter named buildings were used for the storage of oil, and of intention to continue such use for the ensuing year, viz.:

Burbank & Ryder Varnish Company, 60 Alford street, Ward 4.

Hotel and Railroad News Company, 789 Tremont street, Ward 12.

Placed on file.

NOTICE OF HEARINGS.

Notice was received from the Harbor and Land Commissioners of hearings on May 17 on petitions of City of Boston for license to extend the fender guard of Northern Avenue Bridge and for license to widen southerly span of Meridian Street Bridge.

Placed on file.

Notice was received from the Railroad Commissioners of hearing on May 16 on petition of West End Street Railway Company for approval of 350th location.

Placed on file.

NOTICES OF APPOINTMENTS.

Notice was received of the appointment by the Mayor of Patrick H. Mullowney as member of the Board of Health and Alexander Steinert as Art Commissioner, certified copies of the same having been delivered to the Civil Service Commission.

Placed on file.

EMPLOYMENT OF FREDERICK J. GLENN,

The following was received:

Office of Civil Service Commission,
May 11, 1911.

To the City Council,
Boston, Mass.:

Dear Sirs,—Referring to my letter of April 27 in relation to the employment of Frederick J. Glenn as assistant in the City Messenger's office, I have to say that after careful consideration of the matter, it appearing there is some question as to whether or not the position held by Mr. Glenn is within the classified service, the commission has voted to take no further action in regard to his employment at present and our pay roll inspector will be instructed to approve his pay for the time being.

Very truly yours,
WARREN P. DUDLEY, Secretary.

Placed on file.

HIGH PRESSURE SERVICE.

The following was received:

Boston Finance Commission,
410–416 Tremont Building,
Boston, May 12, 1911.

To the Honorable the City Council:

Gentlemen,—On May 8, 1911, the honorable the City Council referred to the Finance Commission for a report and recommendations two communications submitted to the City Council by the Fire Commissioner and by the Mayor, dated respectively April 26, 1911, and May 1, 1911, both of which recommended that the Council accept chapter 312 of the Acts of 1911, which provides for the installation of a suitable system of high pressure fire service in the City of Boston. The act is to take effect providing it is accepted by the Mayor and the City Council.

The act, among other things, authorizes the Commissioner of Public Works to prepare plans and proceed to the immediate installation of the high pressure system, and it also authorizes the City Council to appropriate $1,000,000 during the six years ensuing after the date of the acceptance of the act, the appropriation in each of the said six years to be not less than $150,000, and the bonds issued under the act to be within the statutory limit of indebtedness. The appropriation of $900,000 in the six years aforesaid is mandatory, and the appropriation of an additional $100,000 is permissive.

The commission has already stated its approval of the act in two communications, the first of which was sent to the General Court under date of February 18, 1911, and the second of which was sent to the Mayor and City Council under date of March 22, 1911. In the communication to the General Court, the commission, after recommending the rejection of other bills then pending which were unnecessary because no additional statutory authority was required to accomplish the purposes in question, stated in relation to the high pressure service bill the following:

"On the same ground (*i. e.*, that no additional statutory authority was required by the city), Senate Bill 295, providing $1,000,000 for a high pressure water service, could be rejected; but as the bill seeks to establish definitely the policy of the city by providing that loans shall be passed in each year until the total amount authorized has been issued, thus insuring the completion of the work, an exception may well be made in this case. Moreover, this bill, unlike the others under consideration, provides that the act shall not take effect until it has been accepted by the Mayor and City Council." (House Document 1537.)

In the communication to the Mayor and City Council the commission stated the grounds upon which it recommended the passage of the bill. (See *City Record*, March 25, 1911, page 255.) In this communication the commission also said: "If the act is passed by the Legislature and accepted by the Mayor and City Council the plan prepared by the late City Engineer, William Jackson, and the less expensive plan suggested by former Fire Commissioner Benjamin W. Wells should be considered

before the contracts for the work are awarded, and the less expensive plan adopted if it seems to afford adequate protection. The Finance Commission does not pass upon the respective merits of the two plans but simply suggests their careful study in the interest of economy." It seems important that not only the executive department of the city government but also the City Council should inspect the plans before voting to accept the act. Such inspection, prior to the acceptance of the act, would enable the City Council to obtain a definite idea of the cost of completing the system before the city became irrevocably committed to the expenditure. If the plans are not inspected by the City Council before the act is accepted the executive department will not be obliged to submit any plans whatever to the City Council for its examination, and the Council will be obliged to appropriate at least $900,000 for the system in the six years after the acceptance of the act without knowing whether the money so appropriated will be sufficient to insure the completion of the system or how far the money so appropriated will go toward completing it, and therefore without knowledge of how much money may be required for its completion.

The commission recommends:

1. That the Council, prior to the acceptance of the act, request the executive department to submit the plan of the late City Engineer, or any modified plan that may have been prepared by the engineers in the Department of Public Works, and also request former Fire Commissioner Benjamin W. Wells to appear before the Council to explain his plan and to state its advantages and the estimated cost thereunder.

2. That after the inspection and careful consideration of said plans the City Council pass a vote accepting the act, provided that it feels assured that the executive department will adopt a plan which will secure an adequate high pressure service for not more than the sum appropriated.

Respectfully submitted,
THE FINANCE COMMISSION,
by JOHN A. SULLIVAN,
Chairman.

The communication, with the message of the Mayor and order of May 1 and message of Mayor and order of May 8, were referred to the Executive Committee.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses for eleven newsboys, two bootblacks and five vendors—recommending that licenses be granted.

Reports accepted; licenses granted on the usual conditions.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up unfinished business, Nos. 1 and 2, viz.:

1. Action on appointment submitted by the Mayor May 8, of George A. Borofski to be a Constable of the City of Boston for the term ending April 30, 1912.

2. Action on appointments submitted by the Mayor May 8, of Miss Lucy Wallen and Maynard F. Moseley, to be Weighers of Coal; Amos S. Hubbard, to be an Inspector of Pressed or Bundled Hay and Straw and a Measurer of Grain; Andrew W. Crowther, to be a Weigher of Boilers and Heavy Machinery; and William A. Tryder, to be a Weigher of Coal, a Measurer of Wood and Bark, a Measurer of Grain, a Weigher of Boilers and Heavy Machinery and Wigher of Beef; all for the term ending April 30, 1912.

The question came on confirmation. Committee —Coun. Curley and Buckley. Whole number of ballots cast 8, yeas 8, and the several appointments were confirmed.

FINANCE.

Coun. KENNY, for the Committee on Finance submitted the following:

(1) Report on petition of South Boston Citizens Association (referred last year) for new municipal building—recommending the passage of the following:

Ordered, That the sum of one hundred and twenty thousand dollars ($120,000) be appropriated, to be expended by the Superintendent of Public Buildings, for a municipal building in South Boston, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Coun. KENNY—Mr. President, the South Boston Citizens Association last year petitioned the City Council in favor of a loan, looking to the construction of a new municipal building in South Boston. In that petition they stated:

"One of the prime needs of the South Boston district is the replacing of the present old and inadequate municipal building, in which should be provided room for the branch of the public library, courthouse, if necessary, a large hall capable of holding several thousand persons for public assemblies, gymnasium, with baths and swimming pool, similar to the municipal building in Ward 16.

"There is no large hall for public assemblage now left in South Boston, and the need of one is imperative. The building would best serve the needs of the district if located near the center of the central line of communication. In other words, somewhere near the junction of Broadway and Dorchester street.

"The desirability of such a municipal building to accommodate the great population of the three South Boston wards will, I am sure, be apparent to every one of you upon an examination of the situation."

I do not imagine, Mr. President, that the contemplated loan will quite secure all that is requested in this petition, but that is of course for the executive department of the city to determine. There is one thing certain, that South Boston does need a new building. It needs a new courthouse and it needs a hall which can be used for public meetings; and to-day the Committee on Finance, in addition to passing this loan, has also recommended the passage of a resolution as follows:

"Resolved, That his Honor the Mayor be requested to recommend to the City Council the transfer of $30,000 from appropriation for 'Bath House, Ward 15,' to appropriation for Municipal Building, South Boston."

I think that $150,000 will be required. That is the best opinion we have been able to get. It is the opinion of the Building Department, through its head, and with the transfer of $30,000 now available for the Ward 15 Bath House, added to the $120,000 loan, which we contemplate making, there will be $150,000, which will give to South Boston a place where public business can be transacted, which will supply in South Boston a need that has been manifest for a great many years, something that everybody throughout the city, I think, recognizes as a great public necessity. I shall offer this resolution in connection with the order.

The report was accepted and the order was given its first reading and passed, yeas 8, nays 0.

(2) Report on order (referred last year) to provide sum for playground in Ward 5—recommending the passage of the following:

Ordered, That the sum of eighty thousand dollars ($80,000) be appropriated to be expended for a playground in Ward 5, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Coun. BUCKLEY—Mr. President, I do not intend to talk on this order at length, but it gives me a great deal of pleasure to stand here to-day and thank the members of the Council for their justice to Ward 5 at this particular time. This is a matter that those who have represented perhaps the most congested ward in Boston have fought for the last twenty years, and it has finally been left for this body, as a monument to the body, to see that justice shall be done to the young and old people of that district. I wish to express their thanks to the Council for passing this order here to-day. It is a simple act of justice, and it is what Ward 5 has long deserved. We pay a fair proportion of the taxes of the city and we ought to get this playground. In addition it will fill a long felt want over there. When I ran for the City Council a year ago I said that is what I would bring to Ward 5, and it now looks as though my hopes will be realized. If I do nothing more while I am in the Council I shall at least have accomplished what I came here for.

The report was accepted, and the order was given its first reading and passage, yeas 8, nays 0.

(3) Report on order (referred last year) to provide sum for playground in Ward 20—recommending the passage of the following:

Ordered, That the sum of fifty thousand dollars ($50,000) be appropriated to be expended for a

playground in Ward 20, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Coun. KENNY—Mr. President, there are two or three prominent items which have been before the Committee on Finance for more than one year. They have been almost self-evident propositions. The time had not arrived during the year 1910 when the committee saw its way clear to asking the municipality to borrow this money for these improvements, but to-day, having in view the entire situation, recognizing the demand which these several orders entail upon the city in the way of loans, recognizing the fact that they are of very great public necessity, the committee felt that it could see its way clear to recommend the borrowing of money for some of these things. They certainly speak for themselves. The South Boston courthouse and municipal building is something that has been before the people for a great many years. Last year the City Council went to South Boston and came away every member of the Council feeling that the sooner we could pass a loan and arrange for the construction of such a new building the better, that it was really a great public necessity. The same thing was true in connection with the Charlestown Playground. The district is congested perhaps as much as any part of Boston. There is no place there for the boys to play, and it was felt that the borrowing of this money for that purpose was a very just and proper thing, something that the city could very well take on when the time came that we had the money to do it. The same is true of the situation in Ward 20. That ward represents a large part of Boston, both in area and population, and the demands and necessities there in the way of playground accommodation are of such a character that we felt that we could very well, on behalf of the City Council, take up that item with the other two I have referred to. We have done so, and we feel that this order, like the others, should be passed.

Coun. CURLEY—Mr. President, as one of the two members constituting the minority I desire to express my thanks to the majority for the generosity they have displayed in finally favoring these propositions. I wish to say that the minority had at all times been a unit in favor of them. We rejoice in the fact that the majority has seen the wisdom of acceding to the wishes of the minority in the matter and reporting these orders.

Coun. SMITH—Mr. President, as a minority of one on this question it gives me great pleasure to agree with everything that Mr. Kenny has said in regard to a playground in Ward 20. I went out there with several members of the Improvement Association and agree that the site on which people seem to center, on top of Mt. Ida, is a most excellent site. I grant frankly that I had never been up there before, and I was tremendously impressed with the beauty of the spot I was also impressed by the way in which buildings were closing in around that hill and with the danger that in future years the city would not be able to get any land on top of the hill. At the same time I have listened with a great deal of interest to the demands of other sections of the city for playgrounds, and I realize that there are also several sections that actually need playgrounds. And with the finances of the city as they are now it seems to me better to give a half loaf in several sections than to devote too much money in one section to the exclusion of others. It also seems to me, in talking of playgrounds, that we must remember that the city needs other improvements. It is possible that the town has gone playground mad. Mr. Mitchell has not been able to give me the exact figures to-day as to the amount of money the city has spent on playgrounds in the last few years, because of the trouble in his family, but it is a very large sum. And at the present time our playgrounds are not kept up as they should be. They are woefully lacking in teachers and in apparatus and in general cleanliness, as compared with the playgrounds of other cities. For that reason it seems to me better to increase the availability of the present playgrounds, to approve their appointments, to spend more money upon them, and, if we are going to buy new playgrounds, to take comparatively small areas situated in various sections of the city. For these reasons it seems to me that we are spending too much money in Ward 20 for a playground and for that reason, and that reason only, I am going to vote against this loan. The site suggested at the top of Mt. Ida is assessed for about 15 cents a foot. The Carey estate on the top of Mt. Ida contains 109,000 square feet and is assessed for only $25,600. Therefore that estate, if purchased at anywhere near its assessed valuation, would cost only half the amount of this loan and would furnish over 100,000 square feet, with the building. It seems to me that that loan is ample. Mr. Kiley told the Committee on Finance that $50,000 ought to buy 200,000 square feet on top of Mt. Ida. It seems to me that that is an unreasonable amount of land to buy. Of course, it may be answered by other members of the Council that we have not the selection of the site, and that is quite true. But if we grant a certain amount of money it enables the Park Commissioners to buy a certain site. If we grant a smaller amount of money it enables them to buy a smaller site, even in the same neighborhood. That is the reason why I am going to vote against the loan—not that I don't wish well to Ward 20 in the matter of a playground, not that I am not heartily in sympathy with the needs of that community. I agree with everything that has been said. But I think if Ward 20 is given $50,000 for a playground it is going to exclude some other section of the city from having the same privilege. The members of the Improvement Association told me that all they wanted up there was a breathing space for the women and children, that they did not desire a building, that they did not desire a ball field. They have down in the town field near Field's Corner a ball field and also apparatus, such as swings, teeters, that sort of children's apparatus; and it seems to me if we grant simply a breathing space for approximately half the amount of this loan on Mt. Ida we shall be doing all that the Improvement Association asks and leaving money for some other section of the city that may need it fully as much. That is my first great reason for voting against the order, and the second is this, that I believe, with all due respect to the needs of Ward 20 in the way of a playground, before we issue the full amount of this proposed loan we ought to issue a loan so that the children of the North End of the city may be educated through the medium of a library. I believe a library at the North End is more needed than a playground in Ward 20. I believe it because our city is changing in the character of its population. We have down there a great cosmopolitan population, which we must absorb. The great influx of immigrants must be made into American citizens, and the question is nowhere so imminent than in the North End of Boston. We have more nationalities probably in that district that must be assimilated than in any other section, and as the great means of assimilation a public library comes next only to the public schools. The children of that section are crying for books. They have only temporary room now in a private institution, the North Bennet Street Industrial School, with which to offer facilities to those children at present—entirely inadequate in size, badly lighted and with no ventilation. We ought to change that condition of things as soon as possible. In my opinion we should first grant a library building to that section of the city. For these two reasons—because I think the loan is too large for a playground for Ward 20 and because I think the library in the North End should come first—I am forced to vote against this loan.

Coun. CURLEY—Mr. President, I regret very much that Coun. Smith has taken the stand he does take upon this proposition. The merits of the proposition must be apparent to Coun. Smith when he considers that the Dorchester district resembles Ward 10 as much as it does the Desert of Sahara, so far as children are concerned. There was no serious objection on the part of the citizens of Ward 10 or of Ward 11 when the question of the expenditure of nearly a million dollars was considered for the beautiful esplanade at the rear of the houses on Beacon street at the State House. There has never been any serious objection raised by the people of the Back Bay Station to extensions and enlargement of the Fenway; and where a district is as rich in parks as the section that Coun. Smith represents I feel that he should consider it a matter of justice to favor a proposition that will give to some other less favored section of the city the same rights and privileges and chances that are enjoyed by his section. There is what may be termed a park system running entirely through Wards 10 and 11, known as Commonwealth avenue. The section is rich with the Public Garden, perhaps the most beautiful breathing spot in the entire world. It is rich in Boston Common. It has the magnificent Charles River Esplanade; it has the beautiful

and magnificent Fenway; it has the little Lafayette Mall and numerous other small breathing places scattered throughout the section. As regards the appropriation of $50,000 being excessive, I want to say to Brother Smith that the ward that Coun. Ballantyne and myself have the honor to represent received a loan of $80,000 for a playground some three years ago, and the land was bought in that section at less than the assessed valuation. There is a probability that there will be sufficient public spirit in the owners of the land on Mt. Ida to lead them to treat the city in a similar way. I feel that the needs of the North End section, so far as library accommodations are concerned, are fully as pressing as they have been pictured by Coun. Smith; but I still recognize the fact that there is sufficient money which may be borrowed to provide the necessary library facilities for the North End. But because the North End library idea is a good proposition it does not follow that we should sidetrack an equally good proposition, or perhaps a better one, because of the pressing needs of the North End section. I feel that if Coun. Smith had given this matter the attention that has been given to it by other members of the Council—and which I recognize that he has not had the opportunity to give—he would not vote against it. I feel that his vote against this proposition is caused by lack of knowledge of the necessity and needs of that particular section, and I sincerely trust that he will see the wisdom of joining with the other members of the Council in favor of the proposition. It is true that his vote is not required to pass the order, but in view of the fact that it is a meritorious one I sincerely trust that he will cast it that way.

Coun. BALLANTYNE—Mr. President, I cannot agree with Coun. Smith in regard to the amount for a playground in Ward 20 being excessive. As Coun. Curley has well said, Ward 17 had an appropriation of $80,000, and, while we bought the land there below the assessed value, we required every cent of that $80,000 to put the playground in proper condition. We have just appropriated $80,000 for a playground in Ward 5, for which I was very glad to have an opportunity to cast my vote, because I believe that is one of the most necessary improvements in the City of Boston. When we come to a large ward like Ward 20, with a large population and a great area, I think that $50,000 is a small amount to provide for a playground in that section. I don't know where this playground may be selected. All that this Council can do is to appropriate a certain amount of money and the Park Commissioners will make the selection. They may select the top of Mt. Ida, one of two prospective lots there, or they may select a playground in some other section; but I believe the Park Commissioners ought to have in their hands at least $50,000 for that purpose. If they do not require it all for a playground it will not be spent. I have every confidence that the Park Commission will expend this money for the best interests of the City of Boston, and that if they can buy a sufficient amount of land there for a playground for $20,000 or $25,000 that they will not spend $50,000 upon it. With regard to the Meeting House Hill Association being satisfied with $25,000, I hold in my hand a communication asking that there be included among the loan items this year an item for $50,000 for a playground on Mt. Ida, and from that association; so the Meeting House Hill Improvement Association expects and thinks that the sum of $50,000 will be needed. I certainly hope that the order will pass providing $50,000, and I take great pleasure in saying that I shall vote for it.

Coun. ATTRIDGE—Mr. President, I shall vote for this order calling for the expenditure of $50,000 for this playground in Ward 20. I shall vote for it because I believe it is necessary in that growing section of our city. Of course, I have my own personal opinion in reference to the needs of other sections of the city. I am sure that something should be done by the Council this year at an early date to relieve the conditions which exist, such, for instance, as the condition in the North End district in reference to library facilities and accommodations, and I now want to urge upon the members of the Council immediate action in regard to that growing section of our city. The needs of the North End are a little bit different from the needs of the Dorchester district. I admit, after having made investigation with the members of this Council, that the Dorchester district does need a playground, and I admit that in the North End of this town there is great need of a library building. The Trustees of the Boston Public Library for two years have called the attention of the Mayor and City Council to that need, and up to the present time nothing has been done to satisfy it. The Branch Library Committee, consisting of Coun. Buckley, Smith and myself, submitted a report to this Council calling attention to that library need of that great district of our city. We stated that for two years the Library Trustees have desired that some action be taken to satisfy this long felt want in the way of library accommodations. The Library Trustees have stated to us that they have an option on a piece of property in the North End, that that option is to run from March 15 for three months. The Library Trustees have stated the amount of money necessary in order to purchase this property, to renovate the building, having first-class construction, and to properly equip it as a public library. $85,000 is needed for that urgent necessity, and I stand here to-day as a member of the City Council, not opposing the needs of any particular district of our city but desiring to call attention to what I consider are needs just as great as the needs of other sections of our city. I trust that the members will be fair enough to the Library Trustees and to the citizens of Boston in general, to do something for that great section of our city, the North End, a cosmopolitan section made up of various races, of families that have many children and children eager to learn. Playgrounds are necessary for children and so, I submit, are libraries; and it is my earnest wish and hope that the members of this Council will keep in mind the needs of that great district—but do something—that is, appropriate the money which the Library Trustees say is absolutely necessary. Appropriate $85,000 for a branch public library building in the North End.

Coun. SMITH—Mr. President, I want to put in only one more word after the general discussion of this matter, reminding the Council that I am voting upon this matter as I do simply because I believe it is not relatively as important as the library building in the North End, and that I believe the amount of the loan is unduly large when we take into consideration the playground needs of other parts of the city. Those are my only two reasons. It is not because I do not believe this playground is needed in Ward 20. I started out by saying that one is needed, and I reiterate that now. I simply intend to vote against the order as presented for the two reasons I have already stated. Our position should be to look around the city and find out what we think personally is most needed, and then, with a given amount of money, to meet as many of those needs as we can, in the order in which we think they are most pressing. This playground does not appeal to me as being as pressing as the library in the North End, and if we are to consider it at this time it seems to me that we should cut the amount down one-half. Those are my only reasons against this order. Of course, I do not agree with Coun. Curley that I represent Ward 11 any more than he represents Ward 17. I think he forgets that we are living under a new charter, that we are not representing sections of the city but the whole city. If we are doing our duty we are representing the whole city. That is what we are supposed to do by the charter under which we are elected, and under which we should serve, striving to do our duty by the whole city and not by any one section. Of course, it is a stupid reflection to criticise the building of the embankment along the Back Bay. That was built by the Metropolitan Park Commission at an expense of $800,000, $600,000 of which will be returned to the city by the betterment assessments of 15 cents a foot, along the back of Beacon street. So that point is not well taken, and even if it were it would have no relation to me, any more than the playground in Ward 20 or the library at the North End, because it is not my section any more than it is Coun. Curley's section. On the two grounds already stated I vote against this order—because I do not believe it represents the most pressing need and because I think the amount is too large by 50 per cent.

The order was read once and passed, yeas 7, nay 1, Coun. Smith voting nay.

(4) Report on message of Mayor, communication and order (referred April 14) for loan of $63,000 for Meridian Street Bridge—that the same be referred to the Finance Commission for investigation and report.

Coun. KENNY—Mr. President, on April 14, the Mayor submitted to the Council an order that the sum of $63,000 be appropriated to be spent by the

Commissioner of Public Works in the reconstruction of Meridian Street Bridge, recommending a loan. Last year the Council appropriated $125,000, if I remember rightly, for the reconstruction of this hridge. The present draw span is 59 feet. Last winter the present Commissioner of Public Works and certain members of the Council went to Chelsea and there took up this subject with the officials in Chelsea. It seemed to be the unanimous opinion that a 70-foot span hridge would he sufficient for all purposes, and the Commissioner of Puhlic Works, I understand, started in to reconstruct the hridge on that theory. Since then the officials in Chelsea have hrought the matter up again, and as a consequence of their activity the official of the War Department here, Colonel Abbott, has intimated or suggested that there should be a 100-foot span across Chelsea creek. It ought to be rememhered that the bills are heing paid entirely by the City of Boston. Chelsea will not contrihute one cent towards the construction of this hridge. As a result of the activity of the Chelsea officials a condition of affairs has heen hrought ahout under which it looks as though Boston might he called upon to spend $60,000 more to give them a bridge of 100-foot span. It is the opinion of the Commissioner of Public Works—I have it from him directly—that a 70-foot span will answer all purposes. Therefore it seems to me that this is a matter that might very well he taken up hy the Finance Commission for the purpose of investigating and seeing what might he done towards bringing the matter hefore the proper United States officials. I helieve Colonel Ahhott, the resident official here, is a gentleman of the very highest standing, and that he will not attempt to coerce the city or to do anything unfair or unjust. Nevertheless, it seems to me that the Finance Commission should be called upon to take this matter up. It is a line of work that is entirely in keeping with the purpose of their organization, and in hehalf of the Committee on Finance I submit this report.

Coun. CURLEY—Mr. President, I would say in connection with this order that I have talked with the Mayor and have arranged to meet him in Washington on Wednesday and take the matter up with him and with the Secretary of War.

Report accepted; said reference ordered.

TRANSFER FOR MUNICIPAL BUILDING.

Coun. KENNY offered the following:

Resolved, That his Honor the Mayor be requested to recommend to the City Council the transfer of thirty thousand dollars ($30,000) from appropriation for "Bath House, Ward 15" to appropriation for "Municipal Building, South Boston."

Adopted.

MERIDIAN STREET DRAWBRIDGE

Coun. KENNY offered the following:

Resolved, That his Honor Mayor John F. Fitzgerald and Congressman James M. Curley be requested to confer with the proper officials of the War Department, Washington, in relation to the width of the draw of the Meridian Street Bridge, East Boston, as it is the opinion of the City Council that a 70-foot draw is preferahle to a 100-foot draw, as now proposed.

Coun. KENNY—Mr. President, in this connection I will say that I understand that his Honor the Mayor and Congressman Curley, one of our colleagues, are to he in Washington on Wednesday, and I think that will be a very opportune time for those officials to take this matter up with the War Department. Therefore I offer the resolution in that connection.

The resolution was passed.

DISAPPROVAL OF LIGHTING CONTRACT.

Coun. KENNY offered the following:

Resolved, That the offer of the Rising Sun Street Lighting Company, dated March 4, 1911, to light the streets, parks and alleys of the city with gas is not advantageous for the city to accept; and therefore the City Council hereby declines to approve a contract awarded to said company by the Commissioner of Puhlic Works.

The question came on the adoption of the resolution.

Coun. KENNY—Mr. President, I confess that I have reached this conclusion with some regret. I have a great deal of sympathy for the present corporation that is lighting the city. It has heen engaged for a great many years in furnishing to the City of Boston, under contracts which so far as I am able to determine have been fair and just, a very splendid system of lighting. I think the gentlemen connected with the Rising Sun Street Lighting Company have undertaken to do at all times what was fair and equitahle. I think Boston has not suffered in that respect as other cities have. I understand that in New York, for instance, the price for lighting per lamp is even greater than it is here. I understand also that they have their equipment here, that they have a plant installed, and I would say this without the slightest hesitation, other things heing equal, that, provided the Rising Sun Company will do as well hy us as others will, I would prefer doing husiness with them. But we are here as trustees of the city and it is our duty in spending the city's money to spend it advantageously and in the best manner. Therefore, under all the circumstances, considering everything, I think the City of Boston would he in a hetter position financially during the next ten years if it should resort to its own system of lighting and pay the hills itself, cutting out the middlemen. I did feel inclined and rather disposed to extend the present contract, say for two years, provided it might be done on the hasis of $22.30 per light. That has not been hefore us. Many improvements are being made and have heen made in automatic lighting, although I am not satisfied that at present there is any system that is entirely perfect. I think, however, that we are reaching a climax in that respect, that they are on the eve of perfecting these various devices, that the automatic lighting and extinguishing in connection with the inverted system will in a short time reach a high state of perfection, and I think pending that time the city might very well continue the present contract for a while, if it could do so on the basis of $22.30 per light, later taking advantage of whatever might be on the market in the way of a good system. That is not now hefore us, but it is a thing to be considered; and I think, taking into consideration everything, that the best interests of Boston will be met hy our turning down this proposed ten-year contract. I helieve it is a very undesirable thing to tie the city up with a contract of ten years' duration. That is one of the principal objections that I have to the proposed Rising Sun contract. I don't see why Boston, with its splendid organizations of different kinds, trade associations, Finance Commission, and so on, organizations tending to the puhlic good and the uplift of the people as a whole and the transaction of puhlic husiness, should not be safeguarded in all matters of this kind. I think Boston may very well proceed to light its own streets and cut out the money that is now paid to intermediaries. If this passes I shall offer another order looking to ohtaining the money to place the paraphernalia needed hy the city itself on the lamps.

Coun. CURLEY—Mr. President, this lighting question has been hefore the Council in one form or another for several years. Personally I feel that it would be folly for the city to engage in a ten-year contract with the Rising Sun Street Lighting Company or with any other company or corporation. I agree heartily with that portion of Coun. Kenny's remarks whcre he refers to the fact that street lighting is somewhat in its infancy and in process of development. If anything were necessary to prove that statement I believe it is exemplified in an advertisement puhlished hy the Lynn Gas and Electric Company in a program distrihuted at the letter carriers' convention yesterday. It said:

"On July 1 we shall make a 16⅔ per cent reduction on our present maximum price for electricity. In other words, electricity which is now costing 12 cents per kilowatt on July 1 will be reduced one-sixth—10-cent electricity and 75-cent gas. Compare the prices with what people of other cities are paying."

It seems to me that if it is possible to supply a small city like Lynn with electricity at 10 cents per kilowatt and with gas at 75 cents per cuhic feet, it is possible for us to have electricity and gas furnished at a less price than at present in the City of Boston. With relation to the expenditure of $300,000 for the purchase of some devices to be

placed on the lamp-posts, I want to say this, that I recognize the fact that the day is rapidly approaching when the lighting of lamps by hand will be a thing of the past, that some automatic device will be invented whereby a hutton may be pressed and the entire city lighted and another button pressed and the lamps of the entiie city extinguished. But I nevertheless realize that there must be some gentleman interested in the purchase hy the city of $300,000 worth of tops for the lamp-posts scattered throughout the city who evidently must be on fairly friendly terms with the memhers of the Finance Commission, because of their activity and interest as exemplified in the present instance and as at times exemplified in the past. In other words, this is not the first time that thcy have shown a desire that the City of Boston shall invest a substantial sum of money in a questionable investment —and I say questionable advisedly. There is no question hut what the amount of candle power light furnished by a tungsten lamp very nearly equals the amount now furnished hy one of the present lamps or one of those that it is proposed that the city shall purchase. It is a safe presumption that were the city to submit a proposition to the Edison Company for the entire lighting of the city's streets with tungsten lamps, a price much less than the present price paid by the city would be submitted hy that company. The Consolidated Gas Company, the largest lighting concern with the exception of the Edison Company in the city, refused to accept a contract with the city on other terms than that the city purchase the equipment. Supposing that the city purchases the equipment, costing some $300,000, and that within one year or two years after the purchase some invention such as has been suggested by Mr. Kenny and is probably in the minds of every member of the City Council is made, which means that the entire $300,000 of equipment will be junked and that thc city will stand the loss of $300,000, possibly less such an amount as can be derived from the sale of the material as junked. Personally, since the question of street lighting is in a progressive state, I feel that the best interests of the city will be conserved hy laying this order on the table and hy the adoption of a recommendation that the Commissioner of Public Works confer with the officials who have the contract at the present time and ascertain upon what basis a contract may be made for one year, eighteen months or two years—until such time as these experimental devices which are being continually referred to may have their usefulness demonstrated. What is the proposition? The city proposes to pay $300,000 for the purchase of tops for the lamp-posts and to install those tops, and they have as their basis for reckoning the materiai value of those tops the results obtained in some thirty or forty isolated cases where the lamps have not been given a fair trial, so far as the city is concerned, hut where they have received an extremely fair trial so far as the agents for the lamps are concerned. If an extension of the contract for one year, a year and a half or two years is made, a certain number of those tops might be installed. We will say that 500 or 5,000 are installed, and that they are not confined to those sections of the city where it is impossihle to subject them to the greatest amount of exposure, but that certain ones are placed in the hilly sections of South Boston, Charlestown, Boston proper and Dorchester, and that a fair trial is given through the winter assuming that the weather is the most extreme that we have in this section of New England. If they stand up under a fair trial of that character I would be one of the first to favor a loan of $300,000 for the establishment of those tops; but for the city to plunge into a proposition of this character without a fair trial, without an opportunity to pass on the merits of the proposition, I do not believe in. With the development that is taking place in the matter of street lighting, with the possibility of inventions that may be discovered within perhaps one year or two years, certainly within the life of those tops that would he purchased, I feel that it is anything but the part of wisdom to invest such a substantial sum of money in such a questionable enterprise. I want to say further that I have no desire to impugn the motive that prompts the action of this Board or of any member of the Finance Commission in the matter of the purchase of those tops; but where it is proposed to invest $300,000 of the city's money in a proposition that has not had a fair trial I do not feel that justice is being done to the City of Boston. I do not propose to make a motion to lay on the tahle at this time, as I desire that the matter may he fairly discussed in open Board, but after each member has discussed the proposition I shall make that motion, and if that motion should prevail I stand prepared to vote in favor of a resolution or order which any member of this Board may see fit to present, that the Commissioner of Puhlic Works be instructed to confer with the officials of the company having the present contract with the city relative to an extension of that contract on such terms as may be advantageous to the city, for a period not longer than one or two years, or until such time as a fair trial may be had of the various devices that may be presented for acceptance by thc City of Boston.

Coun. SMITH—Mr. President, it gives me great pleasure to vote for the resolution, for two reasons, —first, hecause the present company doing the lighting of this city, through the ownership of the lamps practically has a monopoly of the business. By that I mean that other possihle competitors cannot suhmit a sufficiently good hid to attract the city. The old company having lighted the city for so long, knowing the cost under the contract and having charged off its equipment probahly several times is enahled to make a lower hid than any other company,—and the truth of that is well shown hy the fact that only one bid was suhmitted under the last call. For that reason it seems to me well that the city should own its equipment in order to permit of competition, in order to permit of other companies outside of the Rising Sun coming in and making bids. Competition is always good for the city. Normal, natural competition will bring a lower price in its wake; and for that reason I hope the city will own its own equipment. The second reason why I hope the order will pass and the city own its own equipment is that it takes only half an eye to see that automatic devices are practical to-day. I don't think we have got to put this thing off into the future for any great length of time. I think automatic devices for lighting and extinguishing lamps are in very good shape to-day. The Horstman clock, which is used in Liverpool, is an excellent device; the Shaw Company's clock, used in Newton, has proven itself to be an excellent device; and there are a numher of devices on trial in different places which have made a good showing. This all goes to show that the city can huy a practical automatic device to-day and make a saving. For that reason I hope the resolution will go through. Ownership by the city of its own equipment will enable other bidders to come in if we care to let the work in connection with the operation of the system out by contract, and the city will get the entire amount that may be saved. Under the proposed contract with the Rising Sun Company, if automatic devices are adopted, the amount saved will be shared between the city and the company. I don't think such a sharing would be helpful. If the automatic lighting is practical, I think the city should get the whole henefit of the saving that results from it. For those two reasons I want to vote in favor of the resolution. At the same time I wish to express my sincere feeling that Congressman Curley is working along the right track in saying that the city should experiment. I have a strong feeling that the city hefore expending such a large sum of money should spend a great deal of time in experimenting. Such experiments may show that the inverted lamp is not the best, although I am convinced that it is. But there are various inverted lamps and various automatic devices. Experiments will show what devices give hest results. I am convinced that there are various good automatic devices, but to make a wise selection it seems to me there should be ample time spent in experimentation. For that reason I drew up a resolution this morning asking that the present contract with the Rising Sun Company he extended for a while and that the Commissioner of Puhlic Works experiment in the meanwhile with the various apparatus and with the various inverted lamps. But I am not going to present that, for this reason. I believe that the Commissioner of Public Works will do exactly that same thing, whether we pass a resolution to that effect or not. I helieve it is simply the natural thing to do,—to continue the contract with the Rising Sun Company pending such time as he can experiment, and then install the device that is considered best. What other course can he adopt? If he starts right away and huys a device, he will suhject himself to grave criticism. If the Rising Sun Company, on the other hand, should say on August 1, "We will take out all our lamps," it would lay itself open to grave criticism. It is not apt to do that because it has 400,000 lights all over

this country in different cities, and it would not prejudice itself in other cities by doing that thing. The normal, natural thing to do would be to continue the contract with the Rising Sun Company until the commissioner has had a chance to experiment and install the proper system. This would take some time. To merely install the lights would take four months, I am told. We have to huy not only the gooscneck risers hut the inverted lamps, and the automatic device itself would have to he put up hy expert workmen. Not only that, but it will take timc for the delivery of the automatic device and inverted lamp. So it seems to me, while it may he the right thing to pass a resolution asking the Commissioner of Puhlic Works to expcriment, it would simply be carrying coals to Newcastle. It is what he would naturally do, anyway. Therefore, I feel perfectly free in leaving the experimentation to Commissioner Rourke and voting for this resolution.

Coun. CURLEY—Mr. Prcsident——

President COLLINS—The Chair wishes to advise the Council that the only question hefore the Council is on the resolution relating to the declination of the present contract or proposed contract with the Rising Sun Company.

Coun. CURLEY—Mr. President, with relation to the matter of experimentation, as I understand it the city charter provides that no contract for lighting streets or for the collcction of garhage, extending over a period of more than one year, shall he engaged in without the Commissioncr of Puhlic Works complying with certain conditions that are set forth in the city charter. So thc greatest possible extension thzat might he made of an existing contract would not be in excess of eleven months. If the City Council feels that that is a reasonahle time, it might he pcrfectly proper, but if, on the other hand, a year, a year and a half or two years was a reasonahle time, it strikes me that such an extension might he advisahle. I should like to ask some of those who desire to purchase these tops what connection there is between Henry C. Long, of the Tremont Building, attorney, who sends a communication to every memher of the City Council to-day, and this particular proposition. I will say that I have received one of these communications, as I believe every memher of the Council has, and this particular portion of the communication is extremely interesting—not only interesting to me hut I presume to the general puhlic of Boston and to the lamplighters as well:

"The people of Boston have reached the stage where they are very much in earnest ahout having the hest possible light for the least money. We are far from that position to-day.

"The proposition suhmitted by the Rising Sun Company is not one that meets that demand. The day of puhlic ownership and operation of puhlic utilities, if not at hand, is not far away.

"Clients of mine who are responsihle, desire to suhmit a proposition which leads direct to puhlic ownership and operation, and relieves the city of the responsihility of operation for any number of years agreed upon. The Rising Sun Company's offer is $22.30 per lamp, subject to a possihle discount, probably not exceeding two dollars, with the automatic device. My clients wish to suhmit the following offer:—In case the city appropriates $350,000 to he used hy it for the purchase of equipmcnt, they can, after investigation, purchase the best equipment in the world, and we will maintain and operate the same during any period of years, not less than ten, agreed upon for the same sum per annum which the Rising Sun names, to wit, —$22.30 per lamp. We will, in addition to that, rebate to the city such a sum of money per annum as will return to the city in the period of years agreed upon for the life of the contract, the entire $350,000 furnished by it, and will deliver over to the city the entire equipment."

This company stands ready at the present time to take over the matter of caring for those lamps, continuing the lighting and extinguishing of thc lamps, and then turn over to the city at the end of the ten-year period the total amount of the investment of $350,000. I don't know whether it was premature on the part of Mr. Henry C. Long to send out communications of this kind before Mr. Kenny's order had been presented, and I don't really know whether there has heen any connection between his presenting the order and the receipt of the communication from Mr. Long. But the character of the letter is certainly suggestive of an understanding with some one, possihly with the Finance Commission.

"Or, if the city will purchase a first-class equipment, in good condition, the hest that can he had, my clients will lease the entire equipment, for such a sum per annum as will pay for the entire equipment in the life of the lease provided the lease is for not less than a ten-year term."

So that those who propose to take over the matter of lighting the city's streets propose to do it on a contract hasis the same as it is done at the present time. But they propose to go a step farther—they propose to turn over at the end of ten years the total cost of the equipment. It does require a very great stretch of the imagination to discern in what manner and hy what method it will he possihle for them to continue this street lighting system hy automatic devices and turn over in ten years $350,000 to the city. It means simply such a system of lighting as is in vogue to-day in Philadelphia, Baltimore, New York and other cities. In New York the price paid men to light lamps is $30 per month, and each man lights 100 lamps. The price paid in Philadelphia is $18 a month and the work is done hy high school boys. In Boston the men are paid $14 a week, and the average numher of lamps lighted is ahout eighty. So the company would prohahly turn the proposition over, as an uplift movement, to the boys in the high school, letting them light the lamps and letting the city take chances as to whether there were well lighted or poorly lighted streets.

"In either case we will furthermore give a bond of $50,000 or more, if neccssary, to guarantee the faithful performance of our contract. Now, it seems to us that a contract of this sort should receive your most earnest consideration, as it leads directly to public ownership, and not puhlic operation."

Why, I presumed that the purpose of the purchasc of these clocks was to insure puhlic operation, that the men now employed as lamplighters might he taken over into the city's service and receive the prevailing rate of wages now paid by the city to men performing a similar work, $2.25 a day. But apparently those most interested in the adoption of this new lighting system are desirous that there shall he puhlic ownership of the lamps hut that there shall he a contract system applied to the lighting and extinguishing of those lamps and not puhlic operation.

"Now, it seems to us that a contract of this sort should receive your most earnest consideration, as it leads directly to puhlic ownership, and not puhlic operation, and leaves with the city the right to select, after proper investigation abroad or in this country, the very best equipment that the world contains for gas lighting of streets.

"It seems to us that a contract of such magnitude and importance would merit the city in spending such reasonable sum as would he necessary for a committee of the city government visiting a number of citics of Europe and in this country, with a view to ascertaining the very hest possihle equipment before going into a contract for so long as ten years.

"We would like to be heard on this matter at your convenience.

"Very respectfully,

"HENRY C. LONG."

It is extremely kind of Mr. Long or the persons whom he represents to suggest, perhaps at his expense, a trip ahroad as well as a trip around this country for the members of the City Council, in considering the purchase of those tops by the city and their operation under a ten-year contract by Mr. Long's concern. It certainly furnishes food for thought. But I don't see how, in justice to his own reputation, any memher of this Board can afford to vote for this proposition to-day, in view of the receipt hy every memher of Mr. Long's letter and in view of the questionable character of the proposed expenditure of $300,000 of the city's money. I therefore move at this time that the matter lie on the table for two weeks. I believe in two weeks or three weeks we will reccive further light in relation to Mr. Long's proposition for puhlic ownership and for private operation of this lighting device. I am sufficiently familiar with this proposition, I have discussed the matter at length at different times with Mr. Rourke and with others in a position to know, and I have it on fairly good authority that the present contract will not net in excess of 5 per cent on the total amount involved. If the net revenue on the present contract is not in excess of 5 per cent, I would like to ask some memher of this Council to explain to me how it is possihle to have a sinking fund of $35,000 per annum estahlished—which is on the hasis of 10 per cent of the $350,000—to turn over to the

city with the prevailing rate of wages paid to the operatives in connection with those lights. It is an utter impossibility. You cannot pay the men $2 a day and at the same time create a sinking fund that represents 10 per cent on the amount invested by this concern. If you do that you will net nothing to the company, and at the end of ten years, or of one year, the company assuming the contract would be in debt. I accordingly move that this matter lie on the table for three weeks.

Coun. SMITH—Mr. President, Coun. Curley has asked the Council to explain Mr. Long's letter. I think we ought to thank him for explaining Mr. Long's letter.

Coun. CURLEY—Mr. President, I had presumed that Mr. Smith would recognize the fact that the motion to lay on the table was not debatable.

Coun. Curley's motion to lay on the table was declared lost. Coun. CURLEY doubted the vote and asked for the yeas and nays. The motion was lost, yeas 1, nays 7, Coun. Curley voting yea.

The resolution was adopted.

Later in the session Coun. BUCKLEY said:

Mr. President, I move a reconsideration of the action whereby the Council adopted the resolution declining the contract with the Rising Sun Street Lighting Company. My purpose in making the motion is this, that I would like every member of the Council recorded either for or against the proposition.

Coun. CURLEY—Mr. President, I would say that I am in favor of that motion—that during the discussion of the resolution as presented by Mr. Kenny I stated that I was opposed to the adoption of a ten-year contract with this company or any other company. I sincerely trust that reconsideration will obtain and that the roll will be called.

Reconsideration of the adoption of the resolution prevailed, and the Council then voted by roll call to adopt the resolution, Coun. BUCKLEY calling for the yeas and nays, yeas 8, nays 0.

INSTALLATION OF GAS MANTLES.

Coun. KENNY offered an order—That the sum of $300,000 be and hereby is appropriated to be expended by the Department of Public Works for the purchase and installation of approximately 11,000 gas lamps with mantles and other necessary equipment and approximately 11,000 automatic lighting and extinguishing devices; that to meet the said appropriation the City Treasurer be hereby authorized to issue, from time to time, on the request of the Mayor, bonds of the City of Boston to said amount for said purposes.

Referred to the Committee on Finance.

ORDINANCES.

Coun. McDONALD, for the Committee on Ordinances, submitted the following:

(1) Report on message of Mayor, communication from Police Commissioner and ordinance (referred last year) concerning parks and public grounds—that no further action is necessary.

Report accepted.

(2) Report on ordinance (referred last year) relative to sauntering and loitering on streets—that the ordinance ought not to pass.

The question came on accepting the report and rejecting the ordinance.

Coun. SMITH—Mr. President, I hesitate to air the somewhat unpleasant affair that occurred in the Committee on Ordinances, but I would like to request that this be laid over for one week. I have endeavored three times to find Police Commissioner O'Meara to discover the pros and cons of this matter. The proposed ordinance has been in committee for a year, I understand, but I knew nothing of it until last Tuesday; so it seems to me only a fair request that we should hear both sides on this matter. The request is of the same tenor as other requests I have made—simply that the courtesy of this body be extended for one week to find out the arguments for and against this. I understand that courtesy is granted without discussion and without hard feeling in other bodies. It is always granted as a matter of course in the Legislature—I think the members of the Council who have been members of the Legislature can bear me out in that. It does not seem to me an unreasonable request, and I trust that the Chair or the body as a whole can grant it. As I say, I have made three attempts to see the Police Commissioner in regard to this matter. I know practically nothing about the subject. When I called up the Clerk of Committees to-day he actually did not know what the ordinance suggested. We had a discussion over the phone about it and he could not give me any light at all. It seems to me when the thing is in such a state possibly it might not be out of place to put it over for a week, and I move that the matter be laid on the table for one week, simply as a matter of courtesy.

Coun. McDONALD—Mr. President, I do not propose to discuss this question to-day either. I am satisfied to allow it to go over one week, but I feel that I will vote for it a week from to-day just as I would to-day. However, if the gentleman pleads courtesy I am satisfied. I don't want to be discourteous to anybody. I told him so the other night, and I shall agree to postponement for a week.

The matter was specially assigned to one week from to-day.

AUTOMOBILE TRAFFIC, COMMONWEALTH AVENUE.

Coun. McDONALD offered the following:

Whereas, The present regulations governing automobile traffic on Commonwealth avenue, between Arlington street and the Ericsson monument, cause the lives and property of many persons to be endangered daily; therefore be it

Ordered, That the Mayor be requested to direct the Park Commission to give a public hearing to the remonstrants against said regulations.

Coun. McDONALD—Mr. President, I don't suppose it is necessary for me to say much on this resolution and order, because of the fact that possibly every member of the Council has read articles that have appeared in one of our leading papers, the Boston *Post*, advocating a change in the rules or regulations established by the Park Commissioners on Commonwealth avenue, between Arlington street and the Ericsson monument, a little beyond Massachusetts avenue, between the avenue and Charlesgate. It seems that the rule that the Park Commission has established on Commonwealth avenue compels automobiles to keep on the right hand side of the left hand side of Commonwealth avenue, from Arlington street to the Ericsson monument, and then compels them to turn to the right, from the Ericsson monument to Charlesgate, keeping on the right hand side of the right hand side of Commonwealth avenue, making a danger point there that is being objected to by hundreds and hundreds of citizens of Boston. The Boston *Post* has been devoting two or three columns at least, and sometimes a whole page, to publishing protests of our citizens against this danger point. I read the other day that an automobilist in trying to turn out at this point went over the sidewalk and into a lawn and just barely escaped hitting a woman who was standing on her lawn in front of her house. I do not want to take up the time of the Council by reading some of the protests that have appeared in the Boston *Post*, but from reading them over it seems that everybody is of the opinion, that the opinion is unanimous, that that is a danger spot, and that the rule should be repealed by the Park Commission. I understand that the Park Commission says that the police ought to properly police the point and prevent the existing danger of accidents, and the Park Commission say that they cannot at the present time repeal the rule they have made relative to that point. I hope that this Council will see fit to pass this resolution and order, and that the Park Commission will at least grant a hearing to the remonstrants and to the people who are vitally interested, with a view to preventing in the future the occurrence of accidents at this point.

The order was passed.

PAYMENT TO MRS. DONAGHUE.

Coun. McDONALD offered an order—That chapter 171, Acts of 1911, entitled "An Act to Authorize the City of Boston to Pay a Sum of Money to the Widow of George A. Donaghue," be and the same is hereby accepted.

Referred to the Executive Committee.

VACATION FOR COUNTY EMPLOYEES.

Coun. ATTRIDGE offered an order—That the Register of Deeds be authorized to allow a three weeks' vacation, without loss of pay, to all employees in his office, the expense to be charged to the appropriation for County of Suffolk, Registry of Deeds.

Referred to the Executive Committee.

SIDEWALK ORDERS.

Coun. BUCKLEY presented the petition of the Baker Congregational Church for sidewalk on Saratoga street, East Boston.

In connection with the petition Coun. BUCKLEY offered an order—That the Commissioner of Public Works make a sidewalk along the Saratoga street side of the Baker Congregational Church, on the corner of Saratoga and Byron streets, Ward 1, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of gravel with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

Coun. BUCKLEY offered an order—That the Commissioner of Public Works make a sidewalk along Winship street, Ward 25, from 43 to the corner of Union street, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of gravel with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

Coun. ATTRIDGE offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Edge Hill street, between Round Hill and Gay Head streets, Ward 22, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of gravel with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

President COLLINS offered an order—That the Commissioner of Public Works make a sidewalk along the westerly side of Ocean street, between Welles avenue and Roslin street, Ward 24, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

PUBLIC LANDING, WARD 24.

President COLLINS offered an order—That the Park Department be requested, through his Honor the Mayor, to acquire land at the foot of Walnut street, Ward 24, and build and maintain a public landing in said location.

Passed.

MEMORIALS IN FANEUIL HALL.

Coun. SMITH offered an order—That no portrait in oil, or bust in marble, bronze or bas-relief, or any form of portrait memorial be placed in Faneuil Hall unless the subject of the proposed memorial shall have been dead twenty-five years.

President COLLINS—The Chair rules, under a decision of the Corporation Counsel, that we have nothing to do with Faneuil Hall. Accordingly, the Chair is constrained to rule the order out of order.

Coun. SMITH—Mr. President, I think we have some rights in the matter and I would like the matter referred to the Committee on Ordinances.

President COLLINS—Very well. Coun. Smith desires the order referred to the Committee on Ordinances, and, with the unanimous consent of the Council, the Chair will waive his ruling and that reference will be made.

Coun. BUCKLEY—I would like to ask the gentleman whom he has in mind? (Laughter.)

President COLLINS—The order stands referred to the Committee on Ordinances.

PAYMENT TO SCRUBWOMEN.

Coun. CURLEY offered the following:

Resolved, That in the opinion of the City Council the wages paid women employed at cleaning and scrubbing various municipal departments are both unfair and inadequate; and be it further

Resolved That in the opinion of the City Council the women employed at cleaning and scrubbing should be paid at least $1.50 per day.

Coun. CURLEY—Mr. President, in relation to this resolution I desire to state that it is not introduced for the purpose of creating political capital but simply as a means of rendering justice to those women who work faithfully in the various branches of the city's service. The men employed at similar work in every city department receive from $2.25 to $3 and $3.50 per day. The men who clean our streets receive $2.25 a day, have Saturday half holidays occasionally and enjoy all holidays. Women engaged in similar work, but of a more exacting nature, compelled to scrub on their knees eight and ten hours a day, receive on an average from 75 cents to a dollar a day in the various city departments. I see no reason why this standard should be maintained with relation to the women when the standard has been raised with relation to every other branch of the public service. I feel in addition that the city should set the example in the matter of wages and that simple justice requires that some such order be adopted and put in operation by the various departments. I have here an excellent little article by Herbert Kaufman, which called my attention very forcibly to this proposition. Speaking of woman it says:

"She is in a class by herself—the rules don't apply to her at all. She's the widow with a family of little children to support. Life hasn't given her a square deal and it is up to you to help out. She prepared herself for a different career than that which has been forced upon her—she learned the trade of being a wife and it took all her time to acquire proficiency—she hadn't the leisure to equip herself with a defensive training against the hour of want. She's crippled—her wings are broken—but the fledglings are in the nest and she must fly far to feed them. You mustn't weigh her on the same scale with which you estimate the value of the rest of your people. She's entitled to come an hour later and to leave an hour earlier. She's doing double duty—she's working on her old job—the children need her attention every morning and she should be at home in time to keep them from the streets and to teach them a little more from her store of mother wisdom. You can forego enough of your profits to lighten her load—you'll never pass into the hands of a receiver because she has received a bit of extra consideration from your hands. Of course, you hadn't thought of her in just that way. Most of us have ears only for our own sobs and eyes for our own scars."

And I confess that I am in the same boat.

"Most of us forget to remember those whom fortune has overlooked. But you do know now—you have had it called to your attention, and you can't dodge your responsibility. You can't offer the excuse of thoughtlessness to the Eternal Auditor, upon whose books your rating in Dun and Bradstreet's is never reckoned. Do we still agree entirely? If you're in doubt, let your wife decide whether she wouldn't rather have a little less later, so that the other shall have a little more now."

It would be unnecessary to introduce an order of this character if woman were weighed in the same scale in which man is weighed. But woman is regarded as a different individual; she is regarded as a different creature, in a sort of class by herself, and where men receive a high standard wage for doing a certain work women engaged in the performance of similar work receive about one-half the men's wage. The total number of women affected by the adoption of an order of this character would in all probability be less than 100, certainly not more than 150. The women who work in our hospitals, who go there in the morning at seven o'clock and who toil until six o'clock at night, ten hours a day on their knees, scrubbing, receive $5 a week, and 90 per cent of those women have fledglings in the nest at home. They are widows with children, and they are compelled to work six days a week, ten hours a day on their knees, scrubbing, for the wage of $5 a week. Invariably there are none of the children who are in a position to contribute to the support of the widow or the family. I feel that the city should be the leader in this matter. The city has established a standard for wages in various lines as applied to men. It has

never established a standard as applied to women and I feel that it should. The objection may be raised, according to the interpretation of the charter by our distinguished Corporation Counsel, that it is improper for us to consider questions of this character. But I desire to call to the attention of the members of the City Council this fact that this is simply in the nature of a recommendation—a right that no charter and no statute can take from any individual, a right that is worked overtime by the so-called improvement associations. I sincerely trust that this order will be adopted unanimously by the City Council, and that its adoption may result in some small share of happiness, peace and plenty to the overworked widows in our city departments.

The resolutions were adopted.

BROOKFORD STREET SCHOOL FOUNDATION.

Coun. CURLEY offered an order—That the Schoolhouse Commission be requested to consider such changes in location of foundation of school now in course of construction upon Brookford street, Ward 16, as will cause the same to conform to the street line.

Coun. CURLEY—Mr. President, I desire to say that a delegation of the property owners and residents upon Brookford street waited upon me and asked me to present an order of this character, after having appealed to the Schoolhouse Commission, in favor of a setback of the school now in course of construction there. They were granted no relief by the Schoolhouse Commission. The construction of the school at this particular point will destroy the æsthetic value of the street and tend greatly to injure the valuation of property It does appear that the Schoolhouse Commission can very easily accede to this request and should do so.

Coun. BALLANTYNE—Mr. President, in connection with this order I might say that a delegation of the residents of that section called on me Saturday evening and requested me to confer with the Mayor in regard to the location of this schoolhouse. I visited the place this morning and found the foundations pretty well in above the ground. If there is anything to be done it should be done quickly. I presented a petition to his Honor the Mayor and have been assured that he will take action at once with the Schoolhouse Commission. As it is proposed to locate that building, it will be a great detriment to many of the property holders on the street. In that particular section the street curves around almost in a half circle, and instead of setting the building in line with the circle they have put it out to the line of the street at one corner. and back about 15 or 20 feet at the other corner. It will be really very unsightly construction, and I sincerely hope that some action will be taken before the building gets any farther towards completion.

The order was passed.

INFORMATION ON RETIRING ACT.

Coun. ATTRIDGE offered the following:

Ordered, That the Finance Commission be requested, through his Honor the Mayor, to report to the City Council as to the advisability of accepting chapter 619 of the Acts of the year 1910, as amended by chapter 338 of the Acts of 1911, entitled "An Act Relative to Retirement Systems for the Payment of Annuities and Pensions for Employees of Cities and Towns"; also to report to the City Council on the following:

(*a.*) The cost of the system to the city in actual pecuniary outlay.

(*b.*) Its effect on the service in removing aged employees who by their example tend to retard the efficiency of younger and more active men.

(*c.*) The positive gain resulting from the substitution of younger and stronger men for the retired veterans.

(*d.*) The net gain or loss to the city as a whole, measured, first, in terms of pecuniary outlay; and, secondly, in terms of efficiency.

Passed.

Ordered, That the heads of departments be requested, through his Honor the Mayor, to report to the City Council as to the operation of chapter 619 of the Acts of 1910, as amended by chapter 338 of the Acts of 1911, designated as "An Act to Authorize the Cities and Towns of the Commonwealth to Establish Retirement Systems for their Employees"; also to report to the City Council on the following:

(*a.*) The cost of the system to the city in actual pecuniary outlay.

(*b.*) Its effect on the service in removing aged employees who by their example tend to retard the efficiency of younger and more active men.

(*c.*) The positive gain resulting from the substitution of younger and stronger men for the retired veterans.

(*d.*) The net gain or loss to the city as a whole, measured, first, in terms of pecuniary outlay, and second, in terms of efficiency.

Passed.

The orders were read a second time, and the question came on their passage.

Coun. ATTRIDGE—Mr. President, these two orders are put in simply for the purpose of gaining information from the Finance Commission and from the heads of the various city departments in regard to the operation of chapter 619 of the Acts of 1910, as amended by chapter 338 of the Acts of this year. Chapter 619 is the act which was rejected by the City Council of 1910. Some amendments were presented to the Legislature and were passed by both branches, the Senate and the House of Representatives. The Governor of the state did not sign the amendments, but they had the force of law after the required legal time; so that at the present time there are on the statute books of the state two acts for the pensioning of city employees—one act in reference to the laborers of the city, signed by the Governor, the other act, as amended, providing a retirement system for employees generally. The purpose of these two orders is simply to get the opinion of the heads of departments and the Finance Commission as to the cost and operation of the act, the effect of the act on the service in removing old employees, and in regard to the gain which may result to the city from the substitution of stronger and younger men. We should get the gain and loss to the city as a whole, measured in terms of efficiency and also in terms of pecuniary outlay.

Both orders were passed.

USE OF CITY PROPERTY.

Coun. SMITH offered the following:

Resolved, That the City Council most heartily approves the policy of his Honor the Mayor in encouraging various organizations to hold conventions in Boston and make them welcome while here. That the City Council request that if his plan involves the use of city property intended for other purposes he consult with them.

Coun. SMITH—Mr. President, I will state the reason why I introduce this order. I sincerely believe that we should do everything in our power to become a convention city and to encourage the holding of conventions here. We should also make people welcome when they are here, giving them a feeling that Boston not only wants them to come but wishes them to feel at home while they are here. But notwithstanding my feeling that the Mayor is doing a great deal of service to the city in bringing conventions here and encouraging them to come to the town, welcoming them when they are here, I think there is a limit to the use he should make of the property of the city departments in welcoming these guests. I cite as an example in point the use of the steamer "Lincoln" last Wednesday to take the Bartenders' Union down the harbor. It strikes me that if he cares to use the property of the City of Boston in that way—while it may be perfectly legitimate and while I have no criticism to make of it, it would be courteous to come to the City Council in connection with it. He must either pay for a steamer or use a city steamer to make those guests welcome in that manner. If he pays for a steamer it comes out of his contingent, and any great use of the contingent fund along these lines would necessitate his coming to us for a further appropriation for a contingent fund. If he cares to adopt that policy, well and good, but if he cares to use city property instead of hiring a steamer, it seems to me it would be well for him, using city property for such purposes, to come to us and ask our advice and permission. You will notice a request from him among the orders of the day for $300 for the Ninth Regiment, and there was last week another request in connection with the Sixth Regiment. It is common

for him to come here and ask us for appropr ations for these celebrations. If he is going to do it for a sum of money, why not do it for the use of the city's property? During the Hibbard administration there was a request made by the Finance Commission, I believe,—I am not sure whether it was in print,—that the Mayor if he used city property for the entertainment of guests should pay from his contingent fund to the department concerned a fair sum, what he would have to pay in the open market for the same service. In other words, if he takes an automobile from a department or a boat from the Penal Institutions Department, he should pay from his contingent fund to the department a fair sum for the service. If that seems preferable I see no objection; but in all events, whether he takes it from his contingent fund and comes to us later for another appropriation, or whether he uses city property for the entertainment of his guests, it seems to me he ought to come to this Board in regard to the matter. That is why I have introduced the order.

Coun. CURLEY—Mr. President, I don't feel that there is any reason why the Mayor should come to this Board or any other board. He has a perfect right to use his contingent fund as he sees fit for the entertainment of guests of this city, and I do not believe it is fair to reflect on the bartenders either as a union or as individuals. There is no class of men in public life or private life more welcome when a man is thirsty than the men engaged in that particular calling. I don't know whether Mr. Smith has ever had occasion to require their services or not, but I feel that if he had it might broaden him out a little (laughter), so that he would take a different view for the time being on some of the questions coming before us. I feel that this question should be considered on broad lines. On the one hand we congratulate the Mayor upon inviting conventions to come to this city, and with the other hand we assault the Mayor because he endeavors to make their stay in this city of such a character as to cause them to go to their respective homes and speak well of the reception they got here. I confess that I feel that this order is a little too much in the peanut class for members of a City Council who call themselves by the distinguished title of "Councilors" to seriously consider. And I move its indefinite postponement.

Coun. SMITH—Mr. President, I feel like asking that Coun. Curley's remarks be spread on the record with my signature at the top, because I entirely agree with him. Of course, he was busy with his many personal affairs when I started speaking and did not catch the drift of my remarks. I said all he has said, in other words—perhaps not as eloquently, but in substance. I made the remark that I believed we ought to encourage conventions to come here; I made the remark that I thought the Mayor's attitude on that subject was admirable; I made the remark that I thought we ought to make them welcome while they are here. I do not care whether the expense of entertainment is to be borne out of the contingent fund or whether it is to come out of the general appropriations for city departments, and I make no criticism of that. I say welcome to bartenders or clergymen, I don't care what the organization is. I was interested in the doctor's advice that I apply to them for help. Nevertheless, I believe that if the Mayor takes such amounts out of the contingent fund he must come to us for an additional appropriation; therefore, if he uses city property instead of taking it from the contingent fund he ought at the same time to come to us in regard to the matter. It seems to me it is a matter that has no bearing whatever on the welcoming of conventions, making people feel at home, or anything of the sort. Of course we welcome them and of course we wish to make them feel at home, and the remarks along those lines, as far as this order is concerned, are entirely beside the point. The question is simply whether the Mayor shall take an amount for entertainment out of the contingent fund or use city property and request us that its use may be allowed. Last year the boats of the Penal Institutions Department were used very little; this year they plan to use them for different occasions, and I hope they will do so. I pass no criticism on the use of the boat last Wednesday, none whatever. I simply say the Mayor should come to us in a case like this just the same as when he needs an additional appropriation for his contingent fund.

Coun. Curley's motion to indefinitely postpone the order was carried. Coun. SMITH doubted the vote. A rising vote was taken, and Coun. Smith's order was indefinitely postponed, 6 to 1.

ICE FOR DRINKING FOUNTAINS.

Coun. BUCKLEY offered an order—That the Commissioner of Public Works be authorized to expend a sum not exceeding five thousand dollars ($5,000) for the purpose of maintaining and furnishing ice for the public drinking fountains during the present season, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

FLAGS ON PUBLIC BUILDINGS.

Coun. BUCKLEY offered an order—That on all public buildings of the City of Boston the United States flag shall be displayed upon all days except Sundays, the weather permitting; days that it rains and days when the wind blows a half gale the flag shall not be displayed. This is in accordance with Senate Bill No. 406.

Passed.

RECESS TAKEN.

The Council voted at 6.01 p. m., on motion of Coun. BALLANTYNE, to take a recess subject to the call of the President.

The members reassembled and were called to order by the President at 7.05 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Reports on petitions (severally referred to-day) for permits for children under fifteen years of age to appear at various places of amusement—that permits be granted, viz.:

Mary F. Dowd, for children to appear at Steinert Hall, evening of June 13.

Herbert S. Weaver, for children to appear at Jordan Hall, evenings of May 20 and 22.

Boys' Reading Clubs, for children to appear at Newsboys' Club Hall, evening of May 26.

John P. Manning, for children to appear at the Arena, afternoon of May 30.

Frances Granger-Smith, for children to appear at Steinert Hall, May 26, June 7 and 12.

Reports severally accepted; permits granted on usual conditions.

(2) Reports on petitions (severally referred to-day) for sidewalks — recommending the passage of orders that the Commissioner of Public Works make sidewalks in front of the following named estates, said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestone, the owner to furnish the material, viz.:

Charles F. Morrill, 257-271 Washington Street North and 1-3 Chamber street, Ward 5; John W. Douse, 18 Mt. Everett street, Ward 20; John W. Douse, 28 Mt. Everett street, Ward 20; William H. Crosby, 428-434 Washington street, Ward 20; Maynard D. Hazen, 23 Bradshaw street, Ward 20; Charles E. Stratton, 1-3 Beale street, Ward 24; Edward D. West, 13 Beale street, Ward 24; James Meehan, 38 Dix street, Ward 24; James M. Durland, 11 Wainwright street, Ward 24; Robert Goode, Strathmore road and Englewood avenue, Ward 25.

Reports severally accepted; orders passed.

(3) Report on order (referred May 1) to give employees of Penal Institutions Department one day off in seven—that the order ought to pass.

Report accepted; order passed.

(4) Report on order (referred to-day) that the Commissioner of Public Works expend a sum not over $5,000 for ice for drinking fountains—that the order ought to pass.

The question came on accepting the report and passing the order.

Coun. SMITH—Mr. President, I am going to vote against this order, because I don't see any necessity for it, although it is a customary expenditure of money. When I think what might be done with $5,000 of the city's money—that we might employ five nurses for the work the city has just taken up on baby hygiene, taking care of the milk,

that we might build a street out in one of the suburbs where councilors are so solicitous that the city shall spend money—when I think of the various things that could be done with the sum of $5,000, while it is here proposed to expend it in a way that will simply make trouble, burting the physique of the people of the city—it certainly seems to me that it is a useless expenditure of money, and I shall therefore vote against it.

The report was accepted and the order was passed, yeas 7, nay 1, Coun. Smith voting nay.

(5) Report on message of Mayor, communication and order (referred to-day) that one inspector be added to elevator inspection division and appropriating $1,600 for this purpose—that the order ought to pass.

Report accepted; order passed, yeas 6, nays 0.

(6) Report on message of Mayor, communication and order (referred to-day) transferring the sum of $300 from the appropriation for Reserve Fund to the appropriation for Mayor, Public Celebrations, to be expended for the celebration of the fiftieth anniversary of the Ninth Regiment, M. V. M.— that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(7) Report on message of Mayor, communications and order (referred May 8) transferring the sum of $300 from the appropriation for the Reserve Fund to the appropriation for Mayor, Public Celebrations, to be expended for the reception of the surviving members of the First Regiment Volunteer Infantry Veteran Association—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(8) Report on message of Mayor and order (referred to-day) that the sum of $2,000 be added to the appropriation for Mayor, Public Celebrations, to be expended in accordance with the program of the Municipal Athletic Association—that the order ought to pass.

Coun. ATTRIDGE— Mr. President, I desire to say in behalf of the committee that the committee does not wish it to be understood that by the passage of this order the committee means to establish a precedent. Some of the members of the committee believe that athletic games should be handled by our Recreation Department when it is established. Again, I desire to say that the committee does not wish to have this considered as a precedent for future years.

Report accepted; order passed, yeas 7, nays 0, Coun. Curley not voting.

Coun. CURLEY—Mr. President, I desire to make a statement. Being a vice president of this proposed association, I feel that it would be improper for me to vote.

Coun. KENNY—Mr. President, may I inquire if the councilor has accepted the office?

Coun. CURLEY— Mr. President, I should judge from the number appointed vice president and the notices sent out that it would make no difference whether one or more accepted or did not accept, that there would be a sufficient number to serve. I have not yet accepted.

(9) Report on message of Mayor and communication (referred May 1) relative to flags on public buildings—that no action is necessary.

Report accepted.

(10) Report on message of Mayor and communication (referred to-day) requesting that an appropriation of $50,000 be made for the purchase of playground at Meeting House Hill — that no further action is necessary.

Report accepted.

IMPROVEMENT OF NEPONSET PLAYGROUND.

President COLLINS offered an order—That the Park Commissioners be requested, through his Honor the Mayor, to grade and resurface and place in condition the Neponset Playground, Ward 24.

Passed.

HEARINGS ON DISPOSAL OF GARBAGE.

Coun. CURLEY offered the following:

Whereas, The character of the bids submitted upon the disposition of garbage has been of a complex nature, and the termination of the existing contract is short and the importance of the proposition is great; be it

Resolved, That the Commissioner of Public Works submit to the City Council a detailed report with recommendation and opinion upon each and all bids submitted for the disposition of garbage, ashes and refuse; and be it further

Resolved, That the City Council hold hearings thereon before action is had thereon.

The question came on the adoption of the preambles and resolution.

Coun. CURLEY—Mr. President. I shall be very brief on this proposition. I feel, from the number of bids submitted,—and in this I believe I voice the sentiment of every person who has looked into or studied the bids to any extent,—that it would be a difficult if not impossible task for the Commissioner of Public Works to determine which was the best proposition for the best interests of the city, without leaving him open to criticism. I feel that the best interests of the city would be served if an opinion were presented to the City Council by the Commissioner of Public Works with his recommendation on each and every separate bid, the City Council then holding a public hearing. It would give him an opportunity to become more conversant with the matter and at the same time afford protection to him and to the city. While it may not be exactly in conformity with the suggestions or ideas contained in the city charter, still I feel that the more publicity there is upon this very important proposition the better it will be for the city.

Coun. SMITH—Mr. President, I should like to ask Coun. Curley one question—whether this entails an additional hearing?

Coun. CURLEY—Mr. President, I should say yes.

Coun. SMITH—Of course, the commissioner would make a report to us on the bids, anyway, so that in that respect what he has suggested would not be anything new.

Coun. CURLEY—Mr. President, I would simply state that the purpose of the order is to afford the Commissioner of Public Works an opportunity to acquire more information and for this body to acquire additional information before he takes action on any of the propositions that have been submitted. There are probably five methods of disposition in connection with which propositions have been presented. It would be difficult to determine which is the best for the city without a public hearing at which men interested in the different propositions as well as the general public will have an opportunity to voice their ideas before the commissioner recommends any particular proposition.

Coun. SMITH—Mr. President, as I understand it, the method now is simply to await his recommendation and then hold a public hearing. Of course, anybody interested in a plan other than that recommended by the commissioner could be heard then. My point is that, if possible, I want to avoid an additional public hearing.

Coun. CURLEY—Mr. President, as I understand it, this contract that the New England Sanitary Product Company now has with the city terminates shortly. It is within the power of the administration to renew that contract for a term of less than a year. To put in operation anything else under the propositions submitted, with possibly one exception, will require for the building of a station ten months of labor on the part of the contracting parties. If this order is passed it will result in giving the fullest possible publicity to the entire proposition, and it is introduced simply with a view to serving the best interests of the city.

The preamble and resolutions were adopted.

GENERAL RECONSIDERATION.

On motion of Coun. McDONALD the Council refused a general reconsideration of all action taken to-day.

Adjourned, on motion of Coun. McDONALD, at 7.20 p. m., to meet on Monday, May 22, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 22, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair. Absent—Coun. Curley.

The Council voted, on motion of Coun. ATTRIDGE, to dispense with the reading of the records of the last meeting.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894 (the Mayor being present), viz.:

Forty-one traverse jurors, Superior Criminal Court, to appear June 7, 1911:

Jonathan M. Seaver, Ward 11; Ernest F. Drew, Ward 25; Charles H. Woodbury, Ward 25; Joseph M. Lakin, Ward 11; John J. Feeney, Ward 14; Michael A. McKenney, Ward 18; Patrick J. Dodd, Ward 20; Patrick Smith, Ward 23; Burt Smith, Ward 17; Michael T. Ryan, Ward 24; John D. Roberts, Ward 24; George M. Fitzgerald, Ward 23; Francis Herzig, Ward 20; James Walsh, Ward 19; Ahhott F. Cobb, Ward 21; Myles Byrne, Ward 20; George H. Rohinson, Ward 20; George E. Larkin, Ward 23; Max Frank, Ward 12; John C. Rand, Ward 12; Alhert A. Golden, Ward 20; Fred C. Chadhourne, Ward 12; George J. Sinnett, Ward 21; Charles B. Telless, Ward 14; John H. Ruemker, Ward 15; George N. Ruby, Ward 10; Russell A. Needham, Ward 1; Henry C. O'Brien, Ward 19; George Muller, Ward 22; Thomas J. Dempsey, Ward 14; Louis L. Chemin, Ward 15; George W. Bradford, Ward 20; Rinaldo A. Jack, Ward 12; William J. Cotter, Ward 24; Frank W. Batcheller, Ward 20; Daniel J. McNeil, Ward 1; Frank E. Morse, Ward 5; Edward R. Schneider, Ward 24; Charles L. Zeigler, Ward 21; William J. Curran, Ward 17; John H. Long, Ward 23.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, May 22, 1911.

To the City Council:

Subject to confirmation by your honorable body, I hereby appoint William J. Doyle (22 Gates street, Ward 15) and Arthur N. Mansfield (Reading, Mass.), Weighers of Coal, for the term ending April 30, 1912.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Laid over under the law.

HOT WATER IN COURTHOUSE.

The following was received:

City of Boston,
Office of the Mayor, May 22, 1911.

To the City Council:

I heg to transmit a communication from the Register of Deeds of Suffolk County, requesting that the sum of one thousand two hundred and fifty dollars ($1,250) he appropriated for the installation of hot water apparatus on the fifth floor of the courthouse, and four hundred dollars ($400) additional for a similar installation in the Social Law Library on the fourth floor. I should he glad to receive an expression of opinion from your honorahle body upon this subject.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Registry of Deeds, Boston, May 16, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston:

Dear Mr. Mayor,— In accordance with our talk recently, I write to suggest that a special appropriation should be made for the Puhlic Buildings Department to install hot water scrvice in the new Registry of Deeds on the top floor of the courthouse, Pemherton square.

We had hot water service in the old Registry of Deeds on the third floor, but when the two extra stories were added to the courthouse, no provision was made for installing hot water apparatus on the fourth and fifth floors. The absence of hot water in the registry has caused great inconvenience to the clerks and the puhlic, and has seriously interfered with the cleanliness of the office.

Recently I had an interview with the clerk of the Courthouse Commissioners regarding this matter. He said the commissioners had completed their work and could give no relief now. He referred me to the firm which did the plumbing work for the commissioners and they havc submitted an estimate of $1,250 for hot water for the fifth floor, and $400 additional if it is placed in the Social Law Library on the fourth floor. It seems to me that where such a small expenditure would result in so much good in a puhlic huilding, there should he no unnecessary delay in making provision for it.

Trusting this matter wili have your early attention, I am,

Respectfully yours,
WILLIAM T. A. FITZGERALD, Register.

Referred to the Executive Committee.

ENTERTAINMENT OF NEW BRUNSWICK REGIMENT.

The following was received:

City of Boston,
Office of the Mayor, May 22, 1911.

To the City Council:

I beg to refer for your information a communication from William H. Oakes, Brigadier General, M.V.M., retired, relating to the contemplated visit of the Sixty-second Regiment St. John's Fusiliers, of St. John, N. B., to this city, June 17, 18 and 19, 1911. General Oakes suggests the propriety of an appropriation of one thousand two hundred dollars ($1,200) for the entertainment of this regiment and I would respectfully solicit an expression of opinion from your honorahle body upon the expediency of making this appropriation.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Boston, Mass., May 15, 1911.

To His Honor Mayor John F. Fitzgerald,
City Hall, Boston, Mass.:

Dear Sir,—The Sixty-second Regiment St. John's Fusiliers of St. John, N. B., are to visit Boston June 17, 18 and 19, 1911, permission having been granted them hy the state and war departments at Washington to visit and carry arms in this country, so that they are the official representatives of their country and city. I would most respectfully suggest that the sum of $1,200 he appropriated for their entertainment as guests of the city on June 18, 1911.

I am,

Very respectfully,
WILLIAM H. OAKES,
Brigadier General, M. V. M. (retired),
Chairman of Reception Committee.

Referred to the Executive Committee.

RETIREMENT OF M. F. EDMONDS.

The following was received:

City of Boston,
Office of the Mayor, May 22, 1911.

To the City Council:

I heg to transmit a copy of a letter from the Superintendent of Puhlic Works, recommending that Michael F. Edmonds, an inspector in the Water Service of the Sewer and Water Division of the Department of Puhlic Works, who is a veteran of the Civil War, be retired under the provisions of chapter 113 of the Acts of 1911. The City Auditor informs me that the water income cannot be used for the purpose of pensioning employees. I have therefore drafted a special order, providing

that this pension be charged to the Reserve Fund, and recommend its passage by your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

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City of Boston,
Public Works Department.
City Hall, May 10, 1911.

To the Honorable the Mayor:

I beg to call your attention to the case of Michael F. Edmonds, who is a veteran of the Civil War, and is an inspector in the Water Service of the Sewer and Water Division of this department, at a salary at the rate of $1,100 per year. This man is sixty-eight years of age, and has been in the service of the city for twenty-eight years. He has a first-class record in the department, and has been home sick for over a month. His physician says that he cannot live much more than a month longer. I would recommend that you authorize this department to retire this man on half pay, to take effect April 17, 1911.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

Ordered, That a sum sufficient to provide a pension under the authority of chapter 113 of the Acts of 1911 to Michael F. Edmonds, an inspector in the Water Service of the Sewer and Water Division of the Department of Public Works, dating from April 17, 1911, be, and hereby is, appropriated, and that the said appropriation be charged to the Reserve Fund.

Referred to the Executive Committee.

TRANSFER TO MUNICIPAL BUILDING.

The following was received:

City of Boston,
Office of the Mayor, May 22, 1911.

To the City Council:

In compliance with the resolution adopted by your honorable body at its meeting of May 15, 1911, to the effect "that his Honor the Mayor be requested to recommend to the City Council the transfer of thirty thousand dollars ($30,000) from the appropriation for Bath House, Ward 15, to the appropriation for Municipal Building, South Boston," I have drafted and recommend for passage the accompanying order.

Yours very truly,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That in compliance with the provisions of chapter 261 of the Acts of 1903 the City Auditor be, and hereby is, authorized to transfer the sum of thirty thousand dollars ($30,000) from the appropriation for Bathing Establishment, Ward 15, to an appropriation for Municipal Building, South Boston.

Referred to the Executive Committee.

YACHTING TROPHY.

The following was received:

City of Boston,
Office of the Mayor, May 22, 1911.

To the City Council:

I am informed by Mr. B. S. Permar, chairman of the Regatta Committee of the Boston Yacht Club, that only two entries have been received for the Boston-Bermuda Yacht Race, for which the City Council appropriated the sum of five hundred dollars ($500) to be expended for a special trophy. One of the yachts has come from Bermuda to New York and is about to visit Boston. As the appropriation was made with the understanding that unless four yachts actually took part in the race the trophy would not be awarded, I do not feel authorized to award the prize without the consent of your honorable body. Unfortunately as the order for the trophy has already been given and a contract entered into for a silver cup costing five hundred dollars ($500) there would seem to be no way of saving to the city the amount of the appropriation.

Respectfully,
JOHN F. FITZGERALD, Mayor

Referred to the Executive Committee.

HEARING ON AUTOMOBILE TRAFFIC.

The following was received:

City of Boston,
Office of the Mayor, May 22, 1911.

To the City Council:

In compliance with an order passed by your honorable body at its meeting of May 15, 1911, to the effect "that the Mayor be requested to direct the Park Commission to give a public hearing to the remonstrants" against certain regulations governing automobile traffic on Commonwealth avenue, between Arlington street and the Ericsson Monument, I have arranged that such a hearing be held on Tuesday, May 23, at 4 p. m.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

REMOVAL OF DRINKING FOUNTAIN.

The following was received:

City of Boston,
Office of the Mayor, May 22, 1911.

To the City Council:

I beg to transmit a letter from the chairman of the Board of Park Commissioners, written in compliance with the request contained in an order of your honorable body passed at its meeting of April 24, 1911, to the effect "that his Honor the Mayor be requested to instruct the proper authorities to remove a drinking fountain now situated in front of the estate corner East Cottage street and Columbia road."

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Board of Commissioners of the
Department of Parks,
May 19, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston, Mass.:

Dear Sir,—Herewith we return to you an order from the City Council relating to the removal of the drinking fountain at East Cottage street and Columbia road. This was referred to the Park Department May 4, with a request for a report. After inspecting the site the Board desires to say that the location of the fountain seems to us the most desirable and convenient location in the neighborhood, and one that must inconvenience the neighbors less than any other nearby. We therefore recommend that no change in position of the fountain be made.

Yours truly,
ROBERT S. PEABODY,
Chairman.

Placed on file.

LOCKER BUILDING, TENEAN BEACH.

The following was received:

City of Boston,
Office of the Mayor, May 19, 1911.

To the City Council:

I am informed that there has been some hesitancy on the part of your members in passing the order recommended by me for an appropriation of one thousand five hundred dollars ($1,500) for the erection of a locker building at Tenean Beach, because it was thought inadvisable to use the revenue derived from the estate of the late Quincy A. Shaw for this purpose. As the need is urgent and the making of the appropriation seems to be more important than the source from which the funds are derived, I beg to withdraw my previous recommendation and the order which accompanied it, and to recommend instead the order attached hereto which prescribes a transfer from the Reserve Fund to a special appropriation under the control of the Bath Trustees.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer the sum of one thousand five hundred dollars ($1,500) from the appropriation for the Reserve Fund to the appropriation for the Bath Department, to be expended for the erection of a locker building at Tenean Beach.

Referred to the Executive Committee.

ADDRESS ON SUBSURFACE STRUCTURES.

Tbe following was receivcd:

City of Boston,
Office of the Mayor, May 22, 1911.

To thc City Council:

I beg to transmit a copy of an address delivered by Mr. George S. Webster, chief engineer and surveyor of Philadelphia, on "Subsurface Structures," at tbe Third National Conference on City Planning, held in that city May 15, 16 and 17, 1911.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Subsurface Structures.

In considering the subject of street widths and tbeir subdivisions, the necessity for providing ample space to accommodate the substructures needed to meet the requirements of modern city life cannot be overlooked. Underground circulation is as necessary to modern municipal life as surface circulation, and tbe problems involved in its installation and maintenance have become exceedingly complex and difficult as the demand for sucb service has increased. Surface traffic may be shifted entirely off of a street temporarily, in cases of emergency, without inflicting any great hardsbip, but the underground service once installed becomes permanent, and any derangement or interference with it ofttimes seriously affects large areas. The great tendency in all our large cities, especially in America, to concentrate business activities at some central location (to create civic centers) has demonstrated the total inadequacy of the street surface to supply space to meet the problems of passenger transportation. It is therefore essential to plan in all our large cities to carry tbe thousands of people who daily congregate for business or pleasure over railway lines constructed either above or below tbe street surface. The space required for the foundations to support elevated roads, or the area of the street cross-section necessary for subways, in addition to tbe sewers, water and gas pipes, telegraph and telephone conduits, pneumatic tubes, pipes for the conveyance of steam, hot water or refrigerating compounds, vaults and tunnels, cannot be found except in streets of considerable lengtb.

Tbe substructure congestion occurs not only in the business districts but also along tbe lines of all main arteries of travel leading from tbe beart of tbe city to local centers of manufacturing or business interests. In tbe central and older portions of tbe city of Philadelphia many of the streets in the regular system are 50 feet wide, witb a few diagonal avenues 60 feet wide. Tbe widths of tbese streets are insufficient not only for surface travel but also for tbe substructures wbich must be placed in them. Tbis congestion is particularly marked at the street intersections. In tbe replanning of tbese portions of tbe city it is found necessary not only to provide for widening existing highways but also to lay out and open additional avenues and to enlarge intersections to meet the demands for subsurface structures as well as for surface uses. This increase in street widtb bas been gradually accomplished on Chestnut and Walnut streets, in the business section, by placing tbe streets upon the official plan of 10 feet greater widtb and requiring all new buildings to recede to tbe new line, paying to the owner at the time of reconstruction any damages that may be sustained. By tbis method tbe cost is not burdensome to the city. The widtbs of a number of important diagonal avenues leading througb local business centers are being increased in like manner.

In the growth of a modern city the number and character of underground structures is constantly increasing and changing, and it is probable tbat tbe future will see the present ones supplemented by others for purposes now scarcely thought of. Tbis ever increasing demand for space under the street surface makes it tberefore necessary tbat tbe available cross-section be utilized to tbe best possible advantage. This in a measure can be accomplished as it is in the city of Philadelphia, by grouping the structures as closely together as possible, but a much better metbod would be by the construction of one or more lines of subservice galleries, of sufficient size to accommodate all future structures, preferably one on each side of the street, close to tbe curb lines, tbus doing away witb tbe usual form of conduit construction, and avoiding the necessity of continually opening tbe street surface and interfering with the proper maintenance of tbe paved areas. Sucb galleries might, when old streets are widened or new avenues opened in tbe built-up portion of the city, be advantageously spent, constructed and maintained by the municipality and at least a portion of the cost covered by rental cbarges to public service companies, which should be required by law to place their structures in tbem and to pay a proper rental therefor.

The prevailing custom in many cities of allowing vaults to be constructed under the sidewalks of the strect and extending to tbe surface results in tbe occupation of a large pe:centage of tbe available cross-section of tbe street and interferes witb the laying of other underground structures. The disadvantage of allowing construction of this kind is now being realized in many of our cities and such constructions wholly prohibited on main thoroughfares. Since 1902 it has been unlawful in Pbiladelphia to construct or reconstruct any vault under the sidewalks of the streets unless the outside top of the vault shall be at least 4 feet below tbe established grade of the sidewalk over the same, the purpose being to reserve this 4 feet of space for conduit and tube construction. All persons rceeiving permits to construct vaults are required to enter into agreement that the city shall in no case be liable for any claim tor damages for tbe reoccupation and use of the whole strect, or any part thereof, to the housc line, for public purposes.

In the city of Philadelphia tbe location of underground structures of every character is determined by a Board of Highway Supervisors composed of the chief officers of the various bureaus of the city government having cbarge of the municipal underground structures. This Board is vested with the full power not only to grant original locations to companies authorized by law to lay pipes and conduits, but also to direct their removal and location whenever the public good demands it. For tbe purpose of enabling the Board to act intelligently upon all applications, a recording and drafting department is maintained wbere all underground structures are plotted and their sizes, depths and distances from tbe curb or building lines shown upon plans of uniform size drawn to a scale of 20 fcet to an incb. Eacb structure is colored witb a conventional tint so that it may be readily followed on the plan. All applicants for pcrmits to locate pipes, conduits or other subsurface structures are required to obtain plans from tbe department records showing, as far as practicable, all existing structures in tbe street, also the location which they desire to occupy. A charge per linear foot is made by the city for such plans and information and tbe cash receipts are considerably more than necessary to maintain the force in the drafting room, and the field inspectors who are sent to see tbat the locations granted are followed and to systematically make measurements of and report all structures of every character met with in the excavation. By tbis means the plans are constantly being cbecked and where necessary corrected. In all cases wbere electrical conduits are laid by public service corporations, the law requires tbat one conduit shall be provided and laid at the expense of the company for the use of the city.

A standard plan showing subsurface structures in Market street between Eleventh and Twelfth streets is among tbe plans of the city of Philadelphia exhibit.

[Discussion by George S. Webster, Chief Engineer and Surveyor, Philadelphia.]

Placed on file.

BRANCH LIBRARY, CHARLESTOWN.

The following was received:

City of Boston,
Office of tbe Mayor, May 22, 1911.

To the City Council:

Gentlemen,—In accordance with the requirements of chapter 261 of tbe Acts of 1893, I beg to recommend the passage of the accompanying order wbicb combines the two appropriations for a branch library in Charlestown, established for tbe purchase on an estate, and for alterations and completion, respectively, into a new appropriation. I believe that tbe time bas come when a start should be made toward tbe actual selection of a site and erection of a building for the accommodation of the people of Charlestown, and that the first step necessary to effect this result is the consolidation of the two appropriations.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That the City Auditor be, and hereby is, authorized to transfer the appropriation for Branch Library, Charlestown, Estate, and Branch Library, Charlestown, Alterations and Completions, to an appropriation for Branch Library, Charlestown.

Referred to the Committee on Branch Libraries.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Charles J. Lewis, for a hearing on his claim for injuries caused by an automobile of the Public Works Department.

John McMahon, for compensation for injuries caused by being kicked by a horse of the Public Works Department.

M. Doyle & Co., for compensation for damage to horse by defective manhole cover near 252 Huntington avenue.

Executive.

Petitions for children under fifteen years of age to appear at various places of amusement, viz.:

M. Hazel Boone, for children to appear at Emanuel Memorial House Hall on evening of May 24.

Walter Kee, for children to appear at Meridian Hall on the evening of May 19.

Myrtle B. Childs, for children to appear at Steinert Hall on the evening of June 21.

Bernadette Masterson, for children to appear at St. Rose Hall on May 23.

Petitions for sidewalks were received, as follows:

(Brick.)

John E. V. Hayden, 26 Charles street, Ward 20.

(Artificial Stone with Granite Edgestone.)

Charles L. Hutchins, trustee, 23 Humphreys street, Ward 16.

Katherine G. Walsh, 16 Saxton street, Ward 16.

William H. Hardy, 29 and 33 Edison green, Ward 16.

Mary C. V. McCarthy, 31 Edison green, Ward 16.

James J. Jacques, 35 Edison green, Ward 16.

George B. Jeffrey, Draper street and Bentham road, Ward 20.

Edward Panciroli, 82–86 Hancock street, Ward 20.

Augustas Holtsman, attorney, 136–146 Harold street, Ward 21.

Hyman Rambach, Centre street, corner Pond street, Ward 22

Andrew Danz, 171 Chestnut avenue, Ward 22.

James W. Sutherland, 173 Chestnut avenue, Ward 22.

Joseph P. Spang, 571–575B Washington street, Ward 25.

CLERK HIRE.

W. T. A. Fitzgerald, Register of Deeds, submitted payroll certifying that certain persons had been employed from April 24 to May 22 and that work had been performed to the amount of $3,641.05.

Referred to the Committee on County Accounts.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the constables' bonds of James E. Norton, Thomas F. Holden, St. Clare H. Richardson, Almerindo Sarno, Harry A. Webber, Frank J. Sullivan.

Approved by the Council.

COAL AND COKE LICENSES.

The Secretary of the Commonwealth submitted copies of coal and coke licenses granted.

Placed on file.

KEEPING OF EXPLOSIVES.

Communications were received from the following named parties that certain buildings were used for the keeping of gasolene, etc., and of intention to use for the ensuing year, viz.:

Carson Trench Machine Company, 16 Dorran e street, Ward 4.

George W. Simonds, 46 Bicknell street, Ward 20.

Arthur R. Nichol, 1582 Dorchester avenue, Ward 24.

Joseph A. Staples, 798½ Tremont street.

The White Company, 341 Newbury street, Ward 11.

Placed on file.

NOTICE OF ORGANIZATION.

Notice was received from the trustees of the Consumptives' Hospital that Mr. Edward F. McSweeney was appointed chairman for the ensuing year, and Mr. Chandler Hovey was appointed secretary for the ensuing year.

Placed on file.

BRANCH LIBRARY DELIVERY, GERMANTOWN.

A communication was received from the Germantown Citizens Association concerning branch library delivery station in Germantown.

Referred to the Committee on Branch Libraries.

EGRESS ON CITY BUILDINGS.

The following was received:

City of Boston,
Building Department, May 17, 1911.

To the Honorable the City Council of the City of Boston:

Gentlemen,—In reference to the communication from the Superintendent of Public Buildings to the City Council, under date of April 11 and referred to the Building Department under date of April 24, 1911, I report as follows: The following buildings referred to in the communication from the Superintendent of Public Buildings should, in the opinion of this department, be provided with additional means of egress in case of fire.

The City Hall on School street; Wayfarers Lodge, Hawkins street; Faneuil Hall; Old City Hall, Charlestown; Old Cross Street Schoolhouse on Cross street; Old Smith Schoolhouse on Joy street; Thomas Street Schoolhouse the Courthouse, South Boston; Courthouse, Dorchester.

The Armory Building on Winthrop street and the fuel house on Main street, Charlestown, should be provided with additional means of egress if used above the first floor.

This department does not dictate the means to be employed for providing egress but determines what may be done upon consulting the convenience of the owner; this report is, therefore, not specific in its nature and a detailed description of the work contemplated in respect to these buildings can be made only after consultation with the Superintendent of Public Buildings.

Respectfully submitted,
ARTHUR G. EVERETT,
Building Commissioner.

Referred to the Executive Committee.

AUTOMATIC LIGHTERS.

The following was received:

Automatic Lighting Company,
Old South Building.
Boston, Mass., May 22, 1911.

To the Honorable Members of the Boston City Council, City Hall, Boston, Mass:

Dear Sirs,—The subject of automatic lighting will probably receive your attention in the very near future, and as the matter of choice as to the particular device to be adopted by the city rests with you and the Commissioner of Public Works, permit us to call your attention to the clock controller manufactured by our company.

The City of Boston under the supervision of the Lamp Department has tested our Automatic Lighter for the past six months. Our lighter has shown up splendidly through the severe winter

months and that of course means a great deal in its favor, inasmuch as the conditions existing during those months show up the efficiency or inefficiency more clearly than any other period of the year.

While it is true that the test conducted by the city has been on but one lamp, the fact that the test was not more thorough was not our fault, as we were willing at all times to install a sufficient number at our expense in order to make the test more thorough. We do not fear competition, in fact we court it, being firmly convinced that as to both efficiency and price we have absolutely no competitors.

We do not seek preference because of the fact that our controller is made in this country by American workmen, but we do ask that a fair opportunity be given us in order to demonstrate that American inventions are still the equal of if not superior to any like foreign inventions.

The office and factory of our company are located in Boston, and in view of the fact that the Mayor with the aid of the Chamber of Commerce is earnestly endeavoring to increase the business of the City of Boston, it would seem that by aiding an enterprise located in Boston which would give employment to citizens of this city, the Council and the commissioner would be serving the best interest of the community.

In conclusion we beg to say we are willing to install fifty (50) or one hundred (100) of our Automatic Lighters under the supervision of the Commissioner of Public Works in open competition with any similar device without a single penny of expense to the city, so that same may be judged fairly and squarely upon its merits.

Respectfully yours,
AUTOMATIC LIGHTING COMPANY,
JAMES M. GLASSMAN, Vice President.

Referred to the Executive Committee.

ORDER OF NOTICE.

On the petition of the Old Colony Street Railway Company for leave to operate as common carrier of newspaper, baggage, etc., on its tracks in Neponset—an order of notice was passed for a hearing thereon on Monday, June 5, at four o'clock p. m., when any parties objecting thereto may appear and be heard.

FINANCE.

Coun. KENNY, for the Committee on Finance, submitted a report on order (referred May 15) for loan of $300,000 for lighting equipment—that the order ought to pass.

The report was accepted and the question came on the passage of the order.

Coun. HALE—Mr. President, I would like to have this laid over until immediately after the recess, for this reason. I am heartily in favor of the necessary amount being borrowed for the purchase of lamps, but I read in the paper last week that the contract with the Edison had already been extended for 2,000 lamps. If that is true and if it is irrevocable it means that instead of 11,000 lamps, which is approximately what this order calls for, only 9,000 lamps can be bought, and that instead of a $300,000 appropriation only $250,000 is needed. I think it would seem rather foolish for this Council to pass a $300,000 loan and then go back on its own action a week later and reduce it to $250,000. I am now taking steps to find out whether it is true that the 2,000 lamps have been provided for, and if we can put the passage of this off until immediately after the recess we can still get it through to-day in correct form.

Coun. KENNY—Mr. President, I have no objection to the request being granted.

On motion of Coun. HALE it was voted that action upon the order be postponed until after the recess.

Later in the session, before the recess, Coun. KENNY said:

Mr. President, I understand that there is no longer any reason for the action we have taken with regard to the order as to the lighting of the streets. I understand that Coun. Hale has since satisfied himself in regard to that matter and is now prepared to vote on it. Therefore, I ask that the reference to the Executive Committee be reconsidered.

Reconsideration prevailed, and the order took its first reading and passage, yeas 8, nays 0.

Coun. KENNY offered the following:

Resolved, That in the opinion of the City Council the city's interests require the prompt purchase and installation of the gas lamps provided for in the foregoing appropriation order and the purchase and installation of suitable automatic lighting and extinguishing devices, as rapidly as experience with said devices shall warrant.

Coun. KENNY—Mr. President, I now ask that that resolution lie on the table for two weeks, until we have a second reading of the order which has just been acted upon.

The resolution was assigned for two weeks.

SETTEES IN PARKS, ETC.

Coun. KENNY, for the Committee on Parkman Fund, submitted a report on message of Mayor and orders (referred May 8) for appropriation of money for settees in public parks, grounds and squares—recommending the passage of the following:

Ordered, That the sum of three thousand dollars ($3,000) be appropriated from the income of the Parkman Fund, to be expended by the Park Department, for providing additional seating accommodations in the parks and grounds under the control of said department, which come under the terms of the Parkman will.

Ordered, That the sum of four thousand dollars ($4,000) be appropriated from the income of the Parkman Fund, to be expended by the Public Grounds Department, for the purchase of additional seating accommodations for parks and squares under the control of said department which come under the terms of the Parkman will.

Report accepted; order passed.

CLAIMS.

Coun. BUCKLEY, for the Committee on Claims, submitted a report on the petition of Lorenzo D. Perkins (referred last year) for compensation for expense incurred by him as an officer at Deer Island—recommending the passage of the following:

Ordered, That there be allowed and paid to Lorenzo D. Perkins the sum of five hundred dollars for expenses incurred in suit against him for act as officer at the House of Correction, Deer Island, said sum to be charged to the appropriation for County of Suffolk, Penal Institutions Department, House of Correction.

Report accepted; order passed. The passage of the order was reconsidered later, on motion of Coun. KENNY, and the order was assigned to the next meeting.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses for fifteen newsboys, four bootblacks and five vendors—recommending that permits be granted.

Reports accepted; permits granted on usual conditions.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up Nos. 1, 2 and 3, unfinished business, viz.:

Action on appointments submitted by the Mayor May 15, viz.:

1. Neil McNeil, to be a member of the Board of Appeal for the term ending July 31, 1916.

2. Chester A. Bailey, William Cohen, Charles A. Hardy, Francis H. Hughes, Daniel F. Hurley, Robert Langal, Edward Rodgers, John D. Smith and Frederick J. Swendeman to be Weighers of Coal for the term ending April 30, 1912.

3. Samuel Bennett, John Hurley, Timothy J. Sullivan, George Secor, Walter S. Hall, William S. Jewett, Charles F. Davis, Forest O. Mitchell, William Seeley, Charles B. Harris, Louis L. Berry, Eugene Sheridan, William F. Mahoney, Everett S. Vradenburgh, William W. Gordon and James K. Farry to be Inspectors of Pressed or Bundled Hay and Straw for the term ending April 30, 1912.

The question came on confirmation. Committee, Coun. Hale and Buckley. Whole number of ballots cast 7, yeas 7, and the several appointments were confirmed.

SAUNTERING, ETC., ON STREETS.

Coun. McDONALD called up No. 4, special assignment, viz.:

4. Report of the Committee on Ordinances, ought not to pass, on the ordinance relative to sauntering or loitering in the streets.

Coun. SMITH—Mr. President, while I did not introduce the ordinance and therefore am not the father of it or responsihle in any way for its coming before this Board, nevertheless I have heen at some pains to look the matter up and I find that the change suggested by the ordinance is very much needed. That proposed change is to strike out the words "wanton and malicious" from the ordinance as it stands at present. The ordinance originally read as the amendment strives to make it read at the present time. It read that way for years and years and was not changed until 1903, when, through the efforts of Judge Dewey, it was changed hy the introduction of the words "wilful, wanton and malicious." There can he no objection to the word "wilful," because any act done is done wilfully, hut the words "malicious and wanton" make the law an ahsolute dead letter. They remove all ahility to enforce the law. As the law stood hefore this amendment of Judge Dewey's a person had to be first warned if he was loitering on the street, and then, after five minutes, if he was on the same spot, the policeman had a right to arrest him. As it stands at present, a policeman cannot stop anyhody from loitering on the street unless he thinks that person has no cause whatever,— and not only that, but unless he thinks he is doing it maliciously in the eyes of the law with a deep, black regard against the law. That takes away all the force of the ordinance and makes it impossihle to prosecute. It is hardly necessary to argue the effect of the language of the ordinance here, as there are so many memhers of the Board who are lawyers. But any gentleman here who asks his local policeman will find that the policeman does not dare to arrest a man for loitering on the street. The law is a dead letter. If any memher cares to go farther he can go to the Police Commissioner and find the same thing, and if he cares to do as I have done he can go a step farther and go to the judges themselves and find that the judges do not dare to convict under the ordinance as it stands at the present, that they do not have the power to convict. If a policeman should be foolish enough to hale into court a man for loitering and loafing he could not get a conviction under the ordinance unless the judge stretched it and took a chance. That fact is puhlic knowledge. The different gangs on the streets know it to-day, and it is a condition of affairs that ought to be stopped. The ordinance ought to he put hack into the form in which it stood for so many years on the books of the city. I sincerely hope, in keeping with the desires of the police officers and the Bench, that this Council will pass the amendment as suggested and will not take the recommendation of the committee.

Coun. McDONALD—Mr. President, at the meeting of the Committee on Ordinances the other night this matter was thoroughly discussed. One of the reasons why the committee reported hack ought not to pass has been suggested hy the councilor who just took his seat. It is true that the ordinance was changed in 1903. I then happened to he a memher of the City Council. I don't know whether it was hecause of Judge Dewey or any influence that Judge Dewey might have had with the memhers of the City Council or the Mayor of Boston at that time that the ordinance was changed but it was a fact that hefore that time police officers in Boston were arresting a lot of young fellows heacuse they were standing on the street corners, having no other place to go to. They were heing arrested for loitering on the street and were fined in almost every case at least $5 and sometimes $25. That was my reason and the committee's reason for not proposing to change the ordinance as it is now on our hooks. I thought and the committee thought that the officers have power enough and I don't think they should be permitted to arrest a young fellow or an old man because he is standing on the street five minutes or over five minutes. In the thickly congested parts of the city—such as Charlestown, the North End, the West End and South Boston—they haven't any other place to go. They cannot stand anywhere but in the street or on the sidewalk. There are no vacant lands, no playgrounds in the section where I live, for instance, with the exception of the extreme end, and the young fellows I represent have to get into ohsure places, doorways, or stand on the sidewalk. As it is now an officer comes along and tells them to move on and comes hack later in the evening, and if he has a grudge against some young fellows he arrests them under the present ordinance. I know of two or three instances within six months where young fellows who have never done anything out of the way, holding responsihle positions and with a record as good as anybody in the United States, have heen haled into court for loitering on the sidewalks and have heen fined in the Charlestown court. They can do that now and have done it within six months, and I don't think we ought to give the police officers any more power. If you take out the words "wantonly and maliciously" they will be continually arresting young hoys and men, who perhaps work at night and have some time off in the day, for standing on the street, simply because they may have a grudge against them. Poor young fellows of my hahits or the habits of other memhers of the City Council could not stand on the street for even one minute if the ordinance were changed and the officers had a grudge against them, without heing arrested. I hope the report will he accepted, and that the proposed ordinance will not he passed.

Coun. BALLANTYNE.—Mr President, I believe I am the father of this ordinance. I am not going to take up the time of the Council arguing in its favor this afternoon hecause I have said all I wanted to say in the Committee on Ordinances, I realize the force of the statement made by Coun. Curley many times, that votes count, and I have a good idea as to what the fate of this ordinance will he. At the same time I cannot agree with Coun. McDonald in the way he pictures the police of Boston. I helieve if this order were passed and discretionary power put into the hands of the police officers of Boston it would not be abused. I have more confidence in our police force than Coun. McDonald seems to have. While the remarks made hy Coun. McDonald may apply to certain sections of the city I am very sure that an ordinance like this is needed very much in other sections—the section that I come from and the sections that several other memhers come from—where hoys make a practice of loafing on the streets for hours, obstructing puhlic travel, and, knowing that the police have no power to act in the matter, continûe to stay there as long as they please. I am not going to argue any more in favor of this ordinance, but will simply say that I am in favor of it, although I well know the fate that awaits it.

Coun. SMITH—Mr. President, I hesitate to take up the time of the Council if, as Coun. Ballantyne states, the measure is already defeated. At the same time I want to have the acts hrought hefore the Council and spread upon the records in order that there may not he any douht of the Council voting with full knowledge of the facts. Of course, we have heen granting loans for playgrounds, for baths, for puhlic parks, with a pretty free hand for the last four or five years, and these places all tend to help solve the loafing problem in Boston. They tend to give the boys a chance to husy themselves in athletic ways. At only the last meeting we passed an appropriation of $2,000 to give them games on Saturday under the new athletic association. It does seem to me that now there is no valid reason for loafing on the street corners, whether the boys think so or not. As a matter of fact, nothing can he worse for them. In the last few years we have granted loans of $2,100,000 simply for playgrounds alone. If that is not giving them places all over the city in which they can spend their time instead of hothering pnssers-by on the street corners and doing harm to themselves, I would like to know what it does mean. As a matter of fact, so far as Charlestown—which Coun. McDonald has just spoken of—is concerned, we passed an order last week granting to that section $80,000 for a playground over by Sullivan square, and they already have the Bunker Hill Park. There seems to he no real reason to my mind for the hoys hanging about street corners; and even if there is the police are powerless now to hreak up the loitering when it gets to the danger point. I agree with Coun. Ballantyne that the police are to be trusted, that they are not trying to work out their petty spites against hoys, and that they would not do so. It seems to me that such a statement is ridiculous on its face. The police officers are to he trusted. They have many duties beside working out petty spite against boys. If you pass the amendment suggested and put the ordinance back on its old footing, you then have a law which will amply protect the boys.

The law will then read that they must first he warned, and after standing for five minutes in a spot after they have heen warned they may be arrested; hut if they have moved three feet farther on the policeman cannot arrest them. The law will amply protect anyhody who should be protected. I have personal knowledge of the fact that the law is ohjectionable at present to the Police Commissioner, the policemen and the judges themselves, hecause I have taken the trouhle to look it up. As far as discussion in Committee on Ordinances was concerned, it was extremely meager —that is, discussion as to the merits. It seems to me that now is a good time to discuss it. We have a good amendment suggested, and I sincerely hope it will pass.

Coun. McDONALD—Mr. President, I cannot see why anybody should stand up here and argue that everyone who stands on a street corner is a loafer. I don't think that is a fair argument to use as showing why such an ordinance as is proposed should he adopted. I do not care whether the judges, the Police Commissioner or the policemen ask that this he passed. I don't think it is a proper ordinance to pass. I did not say that the policemen could not he trusted, hut I do say that there are a lot of police officers now who ought not to he there, who are nothing hut hrutes. They take a young fellow and arrest him for no reason at all. The gentleman who sits here at my right doesn't know the conditions hecause he doesn't live in them. I have had to live in them all my life. The people over my way cannot go in the summer to country homes or out on the Charles river rowing. They have to either stay out in the middle of the street or on the sidewalk, in a gentlemanly way, stay in the house, or go down to a park that we have there at Chelsea Bridge, three-quarters of a mile away from where I live, in the thickly settled part of the section, where you can almost throw a stone over a district inhahited hy nearly 50,000 people. He talks ahout having the loafers driven off the street corners. It is true that the police want the ordinance passed, that the Police Commissioner wants it passed. Young fellows have heen arrested and they have got convictions in the lower court, hut not in the higher court, to-day in many cases where they would like to get convictions, because the judges, as well as people generally, do not believe that a young fellow who has to work all day in a factory or workshop is doing anything very bad, anything that requires arrest, simply hecause he goes out after supper and stands on the street corner. They do not feel that such a man should he locked up over night and the next day fined $5. There has not been a good argument presented why we should put hack the words in the ordinance suggested hy the gentleman here and in the committee. I douht if Judge Dewey had anything to do with the present law. I know he did not introduce it, hecause I was a member of the City Council at the time when those words were in. They are using the argument now that Judge Dewey had those words taken out. It is true that Judge Dewey had some cases of loitering down at the North End that went to the Supreme Court for decision. I don't remember just how they came out. A lot of these poor fellows, after working all day in the trench, stood in North square and were arrested for loitering without warning. Wagon load after wagon load of them were taken and dumped at the station house. Judge Dewey was their attorney, and possihly because of that incident the ordinance may have heen introduced into the City Council. But it was introduced by Mr. Mancovitz of Ward 8, passed hoth hranches of the city government and was signed by Mayor Collins, and there has not heen an attempt since to change it on the part of anyhody, with the possihle exception, as the gentleman says, of the policemen and the Police Commissioner. I don't know anything ahout the judges, not being close enough to them to talk with them upon the question. But I know there are a good many policemen who can he trusted, and a good many who cannot he trusted, men who want to show their authority, who are continually interfering with boys, young men and old men standing on the streets, even when they are interfering with nohody and are not obstructing the way. They compel them to either go into houses or get arrested. I don't think this ordinance should he passed in the present form or that the words should he put hack in the old ordinance. I hope the committee's report will be accepted.

Coun. HALE—Mr. President, I should like to ask a question. I have not heard the discussion upon this matter at all. I should like to know what under the present law the police can do in the matter of loitering. Take the ordinary case, say, of a group of ten young fellows of our age standing on the corner, what does the present law allow the police to do? Can I find out from anybody about that?

Coun. SMITH—Mr. President, as I understand the present law the policeman first asks the man or hoy to move along. If he does not do that in five minutes he again comes and asks him to move along. If he does not pay any attention then, he can arrest him if he thinks he can convict him under this law. But the ordinance reads that the policeman must he able to prove that the young man was standing there hlocking passers-by willfully, maliciously and wantonly. Now, "wantonly" means, in legal phrase, without any cause whatever. If young men so spoken to by policemen were standing there for any conceivahle cause they could not he prosecuted. Maliciously—of course it is hardly necessary to argue that hefore this hody—means with a dark and deep hatred of the law, with malice aforethought, speaking in legal terms. The policeman realize that it is foolish to hring hoys up under such an ordinance as that, that it is impossihle to prosecute with any hope of success, and the judges realize it. Every time when a judge finds a verdict against a boy—which is very rare—there is a risk connected with it, hecause he knows that the case can he appealed and the hoy can get off. The whole ohject of this proposed amendment is simply to get at the loafers —and when I speak of loafers I use the word just as Coun. McDonald would use it, and I do not helieve policemen are going to arrest men who are simply standing about getting the air on a summer's evening. That is absurd. I think we can trust the policemen to he serious minded ahout this. It is aimed only at the gangs hooting around the streets and making trouhle for passers-hy. I think nohody will question the fact that policemen should interfere with them, hut if they interfere now they have no power.

Coun. HALE—Mr. President, I should like to ask another question. I am sorry to take up the time, hut suppose a group of boys does interfere directly with passers-hy by calling them names or acting in a riotous manner, is there no ordinance now that enables that to he stopped? Isn't that a hreach of the peace, or something like it, which is an offence? What I am getting at is this. I have lived for a numher of years on River street, and immediately across the way from where I live a group of young hoys on summer nights, from now on, are used to assemhle and sing, amusing themselves in that way, hecause there is no other place in the neighborhood where they can go. Although it hothers me more or less personally, especially if I have sickness in the family, I helieve very thoroughly in their heing allowed to do that. None of them are drunk and none of them interfere with passers-by, and I want to find out whether this ordinance would prevent a situation like that which I thoroughly helieve in, or simply give the police a chance to interfere when they are acting in a way in which they should not act? I think Coun. McDonald's argument ahout men standing about where there is no playground is perfectly sound—that you must have some place where people can walk around. We haven't enough playgrounds and we have got to expect that people will stand around on the streets more or less. It is what we all do, and that should be allowed under proper conditions. I don't think men standing ahout should have a right to interfere or should he allowed to interfere with passers-hy; and I want to find out what the situation is before I vote upon this matter.

Coun. McDONALD—Mr. President, under the present law an officer can come along and tell you to move on, and if he comes back in five minutes and you have not moved he can arrest you. A numher of such cases are cited in the lower court hut when they are appealed the jury lets them go, where the arrest was not warranted. Nobody would stand up here and defend anyone who was insulting people and causing a riot, causing trouble in a neighhorhood. An officer can come along and arrest such a person at any time now, under the present ordinance, and they do it. I helieve last Saturday night in Charlestown a young fellow was arrested hecause he was standing on the street corner and gave the officer some hack talk. I don't know who he was, hut the chances are that he went into court this morning and was fined in the

Charlestown court. They can do that now. But if these words are taken out of the ordinance an officer can come along, if he does not like a man, and arrest him and hale him into court, saying, "You are obstructing traffic or passage," all that sort of thing. The police now have all the power necessary to handle cases that should be dealt with by the police, and I don't think they should he given any more power in the matter of loitering and sauntering.

Coun SMITH—Mr. President, I would suggest, as there seems to be some douht as to the legal features of this matter, that Judge Corhett he asked to come down here from the Law Department and give us his opinion. That might have some weight with Coun. McDonald. As a matter of fact, some of the statements that Mr. McDonald has made are not in agreement with the statements that Judge Corhett has made. It seems to me that before acting upon the matter the lawyers here might very well consult with Judge Corhett and with other judges and talk the matter over with the Police Commissioner. I douht if the subject has been thoroughly considered. I would like to move that it be laid on the tahle and that Judge Corbett he asked to come down and give us the facts and the law.

Coun. KENNY—Mr. President, as one of the lawyers sitting ahout here, I am not at all in doubt as to what my vote shall be in this matter. I have been quite prepared from the very start to vote against the proposition advocated by my friend and to vote in favor of the report of the committee. I have heard no argument here to-day which would change my mind in the slightest degree. I don't think this law should he changed. I think the present law is working satisfactorily despite the suggestions as to what the police officers may require and as to what some judges may require.. Therefore, acting in my capacity as a memher of the Board, I shall vote in favor of the report of the committee.

Coun. Smith's motion to refer to the Executive Committee, etc., was declared lost.

The report was declared accepted, and the proposed ordinance rejected. Coun. SMITH doubted the vote, a rising vote was taken, and the report was accepted and the ordinance rejected, 6 to 2.

UNION FREIGHT RAILROAD TRACKS.

Coun. ATTRIDGE offered an order—That the Corporation Counsel, through his Honor the Mayor, be requested to draft suitahle rules and regulations governing the use of the tracks of the Union Freight Railroad Company in the City of Boston, said rules and regulations to be submitted to the City Council for its approval.

Coun. ATTRIDGE—Mr. President, this order calls upon the Corporation Counsel to draft suitable rules and regulations governing the use of the tracks of the Union Freight Railroad Company in the City of Boston, said rules and regulations to be suhmitted to the City Council for its information. The City Council, as I understand, as the successor of the Board of Aldermen, has the right to make suitahle rules and regulations governing the use of the tracks hy this railroad company, hut I have never been ahle to find that this right has heen exercised. The right of the City Council is contained in Part 3 of the Acts of 1906, chapter 463, section 74, which says that: "the Board of Aldermen of a city or the selectmen of a town may, suhject to the approval, revision or alteration of the Board of Railroad Commissioners estahlish such regulations as to the rate of speed, the manner and extent of use of tracks, and the numher and routes of cars which run over such tracks, within such city or town, as the interest and convenience of the puhlic may require" Some memhers of the City Council who visited the institutions at Long Island on last Saturday had a personal experience in regard to the use of these tracks during business hours of the day by this railroad company. At ahout five o'clock on that day there were two long trains of cars on Atlantic avenue, near the approach to the ferry and the Eastern Avenue Wharf, and it was necessary for passengers from the ferry—and incidentally the members of the City Council who had been on the trip—to walk at least 150 yards around these two railroad trains in order to reach the other side of the street. That is the busy hour of the day in that section of the city, five o'clock, and in my opinion there should be some regulation regarding the use of the streets at that particular hour. In 1904 some very pertinent questions were asked in regard to this railroad of the Corporation Counsel, and I am going to take the time of the Council to read these questions, because they are very important at this time, and also in view of the fact that nothing has heen done in the matter of the use of the tracks. The answer of the Corporation Counsel was addressed to James H. Doyle, acting mayor of the City of Boston, and the opinion was from the Law Department to the Hon. Patrick A. Collins, Mayor. It reads as follows:

"Dear Sir: The Common Council through you have asked the following questions:

"1. Is there any limitation as to the number of hours in each day during which the Union Freight Railway Company may operate its cars through the streets of the City of Boston?—and to this question I answer that there is no limitation at the present time.

"2. Is there any limitation to the numher of cars which may he hauled at one time through the streets of the City of Boston?—to which I answer that at the present time there is no such limitation.

"3. If there are any limitations as to the time of operation and length of trains, what is the proper procedurc in case these limitations are being violated, and if there are no limitations, does the power exist in any hody to make any limitations?—and to this I answer that, in my opinion, the Union Freight Railway is suhject to the laws relating to street railways, and Revised Laws, chapter 112, section 42, provides, in regard to the use of street railway tracks, that 'the Board of Aldermen or the selectmen may, from time to time, make such regulations as to the manner and extent of use of tracks and the numher and routes of cars of any and all companies which run over such tracks within their city or town as the interest of public travel may require.'

"Respectfully,
"ANDREW J. BAILEY,
"Corporation Counsel."

This communication was placed on file. There is at the present time before the Legislature a bill which was on the calendar to-day, House Bill No. 1358, relative to the Union Freight Railroad Company in the City of Boston, a hill introduced on petition of the Mayor, and that hill provides that "The Union Freight Railroad Company, in the City of Boston, shall be subject to the same control, regulations and requirements by the Board of Railroad Commissioners and the City Council as the steam railroads and street railways." His Honor the Mayor stated in reference to that bill, for which he is the sponsor—and which bill, by the way, was postponed until next Thursday for action by the Legislature— that after consultation with the present Corporation Counsel, Mr. Babson, he was convinced that at the present time the city Council of Boston had the power and right to make these rules and regulations. I have on my desk a letter from the Corporation Counsel under date of May 19, last Friday, in which he sends some extracts from his opinion concerning the Union Freight Railroad Company—extracts from an opinion sent to the Mayor something like a year ago. Mr. Babson states that in his opinion the City Council has a right to make those regulations, and he further says in his opinion that if the Board of Aldermen has not made regulations—as I supposed it had—relative to the rate of speed and the time and manner of using the road over and upon the streets, it means a state of confusion that ought to he remedied. In my opinion the matter is in a state of confusion and ought to he remedied. I could not find any rules and regulations that have been made by the Board of Aldermen under section 74, chapter 463 of the Acts of 1906, and surely in this city, which allows this great railroad company to use the streets something should be done to regulate the traffic. To-day we have traffic rules and regulations which have been made by the Board of Street Commissioners and the Corporation Counsel, and this is certainly in my opinion a matter which should be submitted to the Corporation Counsel for the drafting of suitable rules and regulations governing the use of the tracks of this company, said rules and regulations to he suhmitted to the City Council for approval. I trust that the order will pass.

Coun. HALE.—Mr. President, I desire to have it noted that I do not vote on this hecause it is a matter in which I suppose the corporation in which I am an officer is interested. Therefore, I am interested myself.

President COLLINS.—The Chair recognizes the point made by Coun. Hale.
The order was passed.

BENCHES AT CITY SQUARE.

Coun. BUCKLEY offered an order—That the Superintendent of Public Grounds be requested, through his Honor the Mayor, to place the benches around City square, Charlestown, as they were formerly, viz.: on all sides of the square.
Coun. BUCKLEY—Mr. President, in years past seats were placed all around the triangle in City square, Charlestown, but within the past week the Public Grounds Department has placed them on two sides of the square, the sides facing the Waverley House and the Public Library. The men over there like to sit on the side facing Main street to see the cars going by and whatever is going on, and the result the past week has been that the men stand in the open space and have no seats on which to sit. I hope the order will prevail and that the seats will be put around as in former years.
The order was passed.

RECESS TAKEN.

The Council voted at 4.40 o'clock p. m., on motion of Coun. BALLANTYNE, to take a recess subject to the call of the President.
The members of the Council reassembled in the Chamber and were called to order by the President at 6.30 o'clock p. m.

PLAYGROUND, WARD 9.

Coun. ATTRIDGE offered an order—That the Board of Park Commissioners be requested, through his Honor the Mayor, to communicate with W. J. Tyler of No. 24 Milk street, Boston, with a view of securing the free use of a vacant lot of land on Genesee street, Ward 9, as a playground for children during the summer months.
Passed.

COST OF RETIRING EMPLOYEES.

Coun. SMITH offered an order—That the City Auditor be requested, through his Honor the Mayor, to submit to the City Council a statement as to the amount of money it will cost the city yearly if chapter 619 of the Acts of 1910, as amended by chapter 338 of the Acts of 1911, is accepted by the city and retirements made in the various departments.
Passed.

USE OF APPLE ISLAND.

Coun. SMITH offered the following:
Resolved, That it is the opinion of the City Council that the Board of Street Commissioners should charge a fee for all permits issued by said Board to parties on Apple Island.
Referred to the Executive Committee.

HOLDING OF CITY PLANNING CONFERENCE.

Coun. HALE offered an order—That his Honor the Mayor be requested in the name and behalf of the City of Boston to extend an invitation for the holding of the City Planning Conference for the year 1912 in the City of Boston.
Referred to the Executive Committee.
Later in the session Coun. HALE said:
Mr. President, I move a reconsideration of the reference of the order inviting the City Planning Conference to Boston to the Executive Committee, hoping that it will prevail.
Reconsideration was declared lost. Coun. HALE doubted the vote and asked for a rising vote. The Council stood divided and reconsideration prevailed, 5 to 2.
The question came on the passage of the order.
Coun. KENNY—Mr. President, it seems to me that the Council should know in advance before passing the order what expenses may be entailed on the city in consequence of passing the order. Therefore, I move that, pending such inquiry, the matter be assigned to the next meeting of the Council.
Coun. HALE—Mr. President, of course this order does not definitely commit us to any sum. It does commit us to expending something, I suppose, because if the conference is held here we will have to spend some money. I think it is a tremendously important matter for the City of Boston to get this conference, which represents cities all over the country interested in making improvements and developments. It is especially in line with the proposed visit to Europe of our Chamber of Commerce this summer, the idea of the Chamber being to study how they plan their improvements and developments abroad. I think it is very important to get the conference here, even if it costs $5,000 or $10,000. The reason why I wish to get the order through to-day is that the sooner we get the invitation in form the better chance there will be of having our invitation accepted. Of course, a number of cities are bidding for the next conference, and I think it is very important for us to get this order through right away.
Coun. KENNY—Mr. President, I understand from some source—I don't know how reliable it may be—that the Mayor has already extended this invitation. If that is true, he must take the responsibility of having done so. I don't think the Council should plunge in the dark. We ought to know what this means in a financial sense to the city. I am not opposed to it, but I would like to know before voting on it what it will cost the city. I think that is only a proper, conservative request. I hope, therefore, that the matter will stand over for a week.
Coun. HALE—Mr. President, I don't know what the councilor heard in regard to the Mayor extending this invitation. I was informed a little while ago, when I ventured to oppose an amendment in the Committee on Finance, stating that I read in the paper that the Commissioner of Public Works had extended a contract for 2,000 lamps, that it was merely newspaper report, and that we should take no notice of it. I think the same suggestion applies still more forcibly here. I think even if the Mayor has extended an invitation in some speech of his down there, that it is essential that some other branch of the government should take it up, because when the conference is considering to which city it will go it will, of course, want something more than an offhand invitation in a speech. It will want something in the nature of a definite and formal invitation—which I hope it will get as a result of this order, and I trust that it will get it soon.
Coun. KENNY—Mr. President, early in the afternoon when a report came from the Committee on Finance—I refer to the loan order of $300,000 for lighting equipment — the gentleman who has just spoken requested that the matter be postponed until he could make some investigation. He did so, to his own satisfaction, and the Council acceded to it. I do not quite understand what he meant when he referred to that a moment ago. His wishes were met. We conformed to his desires in the matter. I do not quite understand why he referred to that a few moments ago. Referring to the proposition before us, if the Mayor went to Philadelphia and extended an invitation on behalf of the city I don't say that it was not all right for him to do so; but let him take the responsibility for having done so. I don't think the Council ought to go ahead blindly and take this action without our knowing something about the matter. I think when the Council passes such orders it should have some information about them, should be advised as to what the expense will be, and that we should not be asked to plunge into matters of this kind without the proper information. I hope the matter will stand over.
Coun. SMITH.—Mr. President, it is going to give me great pleasure to vote for this special assignment for one week, simply to allow some of the councilors to look into the matter of expense. But on the broad question of the invitation, whether we should invite them to come here or not, I have no doubt at all. We should invite this great City Planning Conference to come to Boston next year. It is much more important than most conferences that come to Boston. There has been a 1915 bill in the Legislature this year in regard to city planning. The trip of the Chamber of Commerce has been spoken of, and the members of the Chamber will probably be looking into the matter of city planning abroad. The city planning

problem is in the air in Boston, and it would do much towards clearing it up to have the conference here. Not only that, but it will be the means of bringing a good many new ideas on city work to Boston. I think it is in line with the general policy of our city to have such conferences in Boston. It will do much for the business interests of the city, and I am heartily in favor of anything of that sort. But if some councilor secs fit to look into the question of the cost I have no objection. We may want to spend more than Philadelphia or less; and if any member of the Council wishes a week to look into that matter, I am heartily in favor of giving it.

The order was assigned to the next meeting.

THE NEXT MEETING.

Coun. BALLANTYNE—Mr. President, I move that when this Council adjourns it be to meet two weeks from to-day. Next Monday, the 29th, coming the day before Memorial Day, I think it would be very well to adjourn over that week; and I move that when we adjourn it be to meet two weeks from to-day.

Coun. BUCKLEY—Mr. President, at this time I think it would be inadvisable for us to take the action suggested. There is really so much business that ought to be done before the warm weather starts that in my opinion, even if the amount of business to be done is small, we should meet next week.

President COLLINS—The Chair will state that the loan orders passed a week ago to-day will come up for their reading a week from to-day. If it is the pleasure of the Council to act on them forthwith it will be better to meet a week from to-day, instead of two weeks from to-day—although I will suggest that it might be advisable to have a shorter meeting.

Coun. BALLANTYNE—Mr. President, I move that when we adjourn it be to meet two weeks from to-day.

Coun. KENNY—Mr. President, I move as an amendment to that motion that when we adjourn it be to Wednesday, May 31, so that those of who desire to get away over the holiday may do so—next Tuesday, a week from tomorrow, being the holiday. A day later will not make much difference.

Coun. BALLANTYNE—Mr. President, I withdraw my motion in favor of the motion made by Coun. Kenny.

It was voted, on motion of Coun. KENNY, that when the Council adjourns, it be to meet on Wednesday, May 31, at 3 p. m.

CONSTRUCTION OF HIGH PRESSURE SYSTEM.

Coun. KENNY offered an order—That the sum of $150,000 be and hereby is appropriated to be expended under the direction of the Commissioner of Public Works for the construction of a high pressure fire service in the City of Boston, in accordance with the provisions of chapter 312 of the Acts of 1911, and that to meet the said appropriation the City Treasurer be hereby authorized to issue from time to time, on the request of the Mayor, bonds of the City of Boston to said amount for said purpose.

Referred to the Committee on Finance.

Coun. SMITH—Mr. President, I have here a duplicate order, except that the amount is $300,000. I prefer this because the order as Mr. Kenny has introduced it calls for the minimum amount, and that will not permit of the pumping station loan. It seems to me that the pumping station at least ought to be considered this year.

Coun. SMITH offered an order—That the sum of $300,000 be and hereby is appropriated to be expended under the direction of the Commissioner of Public Works for the construction of a high pressure fire service in the City of Boston, in accordance with the provisions of chapter 312 of the Acts of 1911, and that to meet the said appropriation the City Treasurer be hereby authorized to issue, from time to time, on the request of the Mayor, bonds of the City of Boston to said amount for said purpose.

Referred to the Committee on Finance.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Reports on petitions (severally referred to-day), for sidewalks— recommending the passage of orders that the Commissioner of Public Works make sidewalks along the following named streets, in front of the hereinafter named estates; said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built as specified, the owner to furnish the material, viz.:

Brick.

John E. V. Hayden, 26 Charles street, Ward 20.

Artificial Stone with Granite Edgestone.

Charles L. Hutchins, Trustee, 23 Humphreys street, Ward 16.

Katherine G. Walsh, 16 Saxton street, Ward 16.

William H. Hardy, 29 and 33 Edison green, Ward 16.

Mary E. V. McCarthy, 31 Edison green, Ward 16.

James J. Jacques, 35 Edison green, Ward 16.

George B. Jeffrey, Draper street and Bentham road, Ward 20.

Edward Panciroli, 82–86 Hancock street, Ward 20.

Augustus Holtsman, attorney, 136–146 Harold street, Ward 21.

Hyman Rambach, Centre street, corner Pond street, Ward 22.

Andrew Danz, 171 Chestnut avenue, Ward 22.

James W. Sutherland, 173 Chestnut avenue, Ward 22.

Joseph P. Spang, 571–575B Washington street, Ward 25.

Reports severally accepted; orders passed.

(2) Reports on petitions (severally referred to-day) for permits for children under fifteen years of age to appear at various places of amusement,—that permits be granted, viz.:

Myrtle B. Childs, for children to appear at Steinert Hall on evening of June 21.

Walter Kee, for children to appear at Meridian Hall on the evening of May 19.

Bernadette Masterson, for children to appear at St. Rose Hall on May 23.

M. Hazel Boone, for children to appear at Emanuel Memorial House Hall on evening of May 24.

Reports severally accepted; permits granted on the usual conditions.

(3) Report on message of Mayor, communication and order (referred to-day), to provide a pension under the authority of chapter 113 of the Acts of 1911 to Michael F. Edmonds, an inspector in the Water Service of the Sewer and Water Division of the Department of Public Works—that the order ought to pass.

Coun. SMITH—Mr. President, I think this is a very worthy case, and I am very much in favor of passing it; but I don't think we ought to be considered as starting a precedent in this matter. It seems to me that the expenditure for this purpose might be very large throughout the different departments and that we ought to deal with such matters in a rather different manner than by taking the money from the Reserve Fund—although I am heartily in favor of passing this special order.

Report accepted; order passed.

(4) Report on petition of Boston Elevated Railway Company (referred May 15) for approval of location of proposed station—recommending the passage of the following:

Ordered, That the proposed location by the Boston elevated railway Company of a station of its elevated railway, on Washington street, at or near Green street Jamaica Plain, as shown on plan 35067, dated October, 1910, and filed in the office of the City Clerk, be and the same hereby is approved.

Report accepted; order passed.

(5) Report on message of Mayor, communication and order (referred May 15), transferring $657.02 to appropriation for Broadway Bridge—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(6) Report on message of Mayor, communication and order (referred May 15), transferring balances of three special appropriations for City Hospital to appropriation for City Hospital, Fireproofing—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(7) Report on message of mayor and order (referred to-day), transferring the sum of $1,500

from the appropriation for the Reserve Fund to the appropriation for the Bath Department, to be expended for the erection of a locker building at Tenean Beach—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(8) Report on message of Mayor and order (referred to-day), transferring the sum of $30,000 from the appropriation for Bathing Establishment, Ward 15, to an appropriation for Municipal Building, South Boston—that the order ought to pass.

Report accepted; order read once and passed, yeas 8, nays 0.

(9) Report on order (referred May 15), that the Register of Deeds be authorized to allow a three weeks' vacation, without loss of pay, to all employees in his office — that the order ought to pass.

Report accepted; order passed.

(10) Report on message of Mayor and communication (referred to-day), concerning visit of Sixty-second Regiment, Fusileers of St. John, N. B.—that the same be returned to his Honor the Mayor.

Report accepted; said reference ordered.

(11) Report on messages of Mayor and communications (referred May 1 and 8), concerning the high pressure fire service—recommending the passage of the following:

Ordered, That chapter 312 of the Acts of 1911 entitled "An Act to Provide for a High Pressure Fire Service in the City of Boston" be and hereby

Report accepted; order passed.

(12) Report on message of Mayor (referred to-day), concerning Boston-Bermuda yacht race, and trophy donated by the city—that the same be placed on file.

Report accepted; said message placed on file.

(13) Report on message of Mayor (referred May 15), relative to acquiring land on Salem street—that no further action is necessary.

Report accepted.

(14) Report on message of Mayor, communication and order (referred May 1), appropriating $1,500 for locker building at Tenean Beach—that no further action is necessary.

Report accepted.

(15) Report on communication from Finance Commission (referred May 15), concerning high pressure fire service—that the same be placed on file.

Report accepted; said communication placed on file.

(16) Report on petition of the Old Colony Railroad Company (referred May 8), that the limits be prescribed within which said company may take land for railroad purposes adjoining the Pope estate—recommending the passage of the following preambles and order.

Whereas, The Old Colony Railroad Company, a corporation duly established under the laws of the Commonwealth, has represented to this Council that for the purpose of making or securing its road and for depot or station purposes it requires land outside the limits of its route as fixed, and that it requires additional land for one or more new tracks adjacent to other land occupied by said railroad company by tracks already in use, and that it is unable to obtain such additional land by agreement with the owner or owners; and

Whereas, Said Old Colony Railroad Company has applied to this Council, acting as County Commissioners, to prescribe the limits within which said railroad company may take such land without the permission of the owner or owners; and

Whereas, This Council, acting as County Commissioners, did, on Monday, May 8, 1911, after due notice to the supposed owners of said land, give a hearing in accordance with section 78 of Part II. of chapter 463 of the Acts of 1906; now therefore be it

Ordered, That the limits within which the Old Colony Railroad Company may take land for the purpose of making or securing its road and for depot or station purposes and for one or more tracks adjacent to other land occupied by said railroad company by tracks already in use, be and the same are hereby prescribed, as follows:

Beginning at the southwesterly corner of said land at a point distant northwesterly 41.25 feet measured at right angles to the base line of railroad location from station 81 plus 43.15 on said base line; thence north 46° 01′ west about 192.29 feet on land now or formerly of heirs of James Pope to the southeasterly line of Huntoon street; thence north 41° 46′ east about 348.04 feet on land now or formerly of heirs of Sarah L. Pope, said line being the southeast side line of a proposed extension of Huntoon street, to land now or formerly of Mary E. Pierce; thence south 47° 24′ east about 243 feet on land of said Pierce to a point on the northwest side line of railroad location distant northwesterly 28.875 feet measured at right angles to the base line of railroad location from station 77 plus 87.77 on said base line; thence south 47° 59′ west about 217.63 feet on land of the Old Colony Railroad Company; thence north 52° 41′ west 12.6 feet still on land of the Old Colony Railroad Company; thence south 47° 59′ west about 135.42 feet still on land of the Old Colony Railroad Company to the point of beginning; containing about 1.76 acres, as shown on plan entitled, "N. Y., N. H. &. H. R. R. Boston Division, Dorchester and Milton Branch. Land Plan Property Required from Heirs of Sarah L. Pope in Boston, Mass., Dorchester District. Scale 1 in. = 80 ft. Boston, May 15, 1911."

Reports accepted; preambles and order passed.

(17) Report on the petition of the Old Colony Railroad Company (referred May 8), that the limits be prescribed within which said company may take land for railroad purposes near Butler and Huntoon streets, recommending the passage of the following preambles and order.

Whereas, The Old Colony Railroad Company, a corporation duly established under the laws of the Commonwealth, has represented to this Council that for the purpose of making or securing its road and for depot or station purposes it requires land outside the limits of its route as fixed, and that it requires additional land for one or more new tracks adjacent to other land occupied by said railroad company by tracks already in use, and that it is unable to obtain such additional land by agreement with the owner or owners; and

Whereas, Said Old Colony Railroad Company has applied to this Council, acting as County Commissioners, to prescribe the limits within which said railroad company may take such land without the permission of the owner or owners; and

Whereas, This Council, acting as County Commissioners, did, on Monday, May 8, 1911, after due notice to the supposed owners of said land, give a hearing in accordance with section 78 of Part II, of chapter 463 of the Acts of 1906; now therefore be it

Ordered, That the limits within which the Old Colony Railroad Company may take land for the purpose of making or securing its road and for depot or station purposes and for one or more tracks adjacent to other land occupied by said railroad company by tracks already in use, be and the same are hereby prescribed, as follows:

Beginning at a point distant northwesterly 41.25 feet measured at right angles to the base line of railroad location from station 85 plus 68.76 on said base line; thence north 42° 1′ west about 191.82 feet measuring on the northeasterly line of Butler street; thence north 47° 59′ east about 412.20 feet on the southeasterly line of Huntoon street to land now or formerly of heirs of Sarah L. Pope; thence south 46° 1′ east about 192.29 feet on land of heirs of said Pope to a point distant northwesterly 41.25 feet measuring at right angles to the base line of railroad location from station 81 plus 43.15 on said base line; thence south 47° 59′ west about 425.61 feet measuring on the land of the Old Colony Railroad Company to the point of beginning; said parcel containing about 1.8447 acres, being indicated on plan entitled, "N. Y., N. H. & H. R. R. Boston Division, Dorchester and Milton Branch. Land Plan Property Required from Heirs of James Pope in Boston, Mass., Dorchester District. Scale 1 in. = 80 ft., Boston, Mar. 24, 1911."

Report accepted; preambles and order passed.

COUNTY ACCOUNTS.

Coun. ATTRIDGE, for the Committee on County Accounts, submitted a report on pay roll of Register of Deeds (referred to-day), amounting to $3,641.05 that the same be approved.

Report accepted; pay roll approved.

GENERAL RECONSIDERATION.

On motion of Coun. KENNY the Board refused a general reconsideration of all action taken to-day.

Adjourned, on motion of Coun. McDONALD, at 6.52 p. m. to meet on Wednesday, May 31, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Wednesday, May 31, 1911.

Adjourned regular meeting of the City Council in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair and all the members present.

On motion of Coun. HALE the reading of tbe records of the last meeting was dispensed with.

MONEY FOR CONSUMPTIVES' HOSPITAL.

The following was received:

City of Boston,
Office of tbe Mayor, May 31, 1911.

To the City Council:

I beg to transmit a communication from the chairman of the Consumptives' Hospital Trustees, requesting an appropriation of fifty thousand dollars ($50,000) for the erection of a hospital to contain fifty beds for cbildren with demonstrable tuberculosis, and an appropriation of eighty thousand dollars ($80,000) for a concrete ward building similar to the two concrete buildings now located in Mattapan. Tbese appropriations can properly be made the subject of loan orders and the requests might well be considered witb others that have been received when the City Council comes to decide whicb of the most urgent needs of the city should be met from the borrowing capacity this year.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Boston Consumptives' Hospital Department,
926 Tremont Building, May 25, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—At a meeting of the trustees of the Boston Consumptives' Hospital, held on Monday afternoon, May 22, the following votes were passed:

I was instructed to request that an appropriation of $50,000 for the erection of a hospital to contain fifty beds for children with demonstrable tuberculosis, and $80,000 for another concrete building similar to the two concrete ward buildings now erected at Mattapan, making in all $130,000.

This request for an appropriation for a cbildren's hospital was first made in September, 1909, but was not acted upon, and is imperatively needed.

The additional use to the concrete ward buildings is a part of the regular plan of development of this institution, and should proceed as rapidly as possible.

Respectfully yours,
EDWARD F. MCSWEENEY,
Chairman.

Referred to tbe Committee on Finance.

WAGES OF SCRUBWOMEN.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1911.

To the City Council:

I beg to transmit a letter from the Superintendent of Public Buildings, dealing with the question of the wages of women employed at cleaning and scrubbing in the Public Buildings Department. This communication was forwarded to me in response to a request for an expression of opinion upon the resolution adopted by your honorable body at its meeting of May 15, to the effect that "the wages paid these women are unfair and inadequate and that they should be paid at least $1.50 per day."

Respectfully,
JOHN F. FITZGERALD, Mayor.

Office of Public Buildings Department,
May 24, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Regarding the matter of the resolve as passed by the City Council on May 15, 1911, relating to the wages paid the women employed at cleaning and scrubbing in the various municipal departments, and suggesting that they be paid at least $1.50 per day, I wish to state that the conditions are so variable that each case must be given individual consideration.

The compensation of the women employed in this department, at this time, is as follows:

One janitress, $30 a month.
One janitress, $25 a month.
One janitress, $12 a week ($2 a day).
One janitress, $10 a week.
One woman cleaning, $25 a month.
Two women cleaning, $8 a week each.
Seventeen women cleaning, $7 a week each.
One woman cleaning, $6 a week.
One woman cleaning, $5 a week.
Seven women cleaning, 25 cents hour, amounting to $7 week each.
Five women cleaning, 25 cents hour, amounting to $5 week each.
Two women cleaning, 25 cents hour, amounting to $4 week eacb.
Three women cleaning, 25 cents hour, amounting to $26 month each.
One woman cleaning, 25 cents hour, amounting to $23 month each.

Shortly after I assumed charge of this offiee I increased the compensation of the women employed cleaning and scrubbing on an hourly basis from 20 cents to 25 cents per hour.

Only one of the above women gives a full day's service, the others will average about four hours daily and in the majority of cases are not employed every day, but do their cleaning on certain days each week as are assigned to them.

As you are aware practically all of the cleaning and scrubbing must be done outside of the regular working hours.

If the women were employed a full day on the present basis of 25 cents per hour, the compensation would be $2 for each day.

Yours respectfully,
M. J. FISH,
Superintendent of Public Buildings.

Referred to the Executive Committee.

CONDITIONING OF NEPONSET PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1911.

To the City Council:

I beg to transmit a reply from the chairman of the Board of Park Commissioners, in response to an order passed by your honorable body at its meeting of May 15, 1911, to the effect that "the Park Commissioners be requested, through his Honor the Mayor, to grade and resurface and place in condition the Neponset Playground, Ward 24."

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Board of Commissioners of the
Department of Parks,
May 26, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston:

Dear Sir,—The Boston Park Commission acknowledges tbe receipt from you of an order requesting the commission to grade and resurface and place in condition Neponset Playground, Ward 24.

The Park Commission would say that a force at present employed on the Speedway will be through with tbat work in a week or ten days, and they are then to begin work on the Neponset Playground, and soon thereafter enough land will be leveled for extra ball fields. We cannot undertake this work more quickly with our present force, but we will give to it every attention in the manner thus outlined.

Very truly yours,
ROBERT S. PEABODY,
Chairman.

Placed on file.

RULES FOR UNION FREIGHT RAILWAY COMPANY.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1911.

To the City Council:

In compliance with your order passed at the meeting of May 22, to the effect that "the Corporation Counsel be requested to draft suitable rules and regulations governing the use of the tracks of the Union Freight Railway Company in this city and that said rules and regulations be submitted to the City Council for its approval," I have forwarded a copy of the order to the Corporation Counsel with my approval of the request therein contained.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1911.

To the City Council:

Subject to confirmation by your honorable body, I hereby appoint B. Frank Hooton (813 Dorchester avenue, Ward 16) and John C. Sullivan (303 West Second street, Ward 13) Weighers of Coal, Measurers of Wood and Bark, Measurers of Grain, Inspectors of Pressed or Bundled Hay and Straw, Weighers of Boilers and Heavy Machinery and Weighers of Beef for the term ending April 30, 1912.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Laid over under the law.

STREETS FOR PARADES.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1911.

To the City Council:

I beg to recommend for passage by your honorable body an amendment to the ordinance governing the route of parades containing more than five hundred persons. This amendment has been approved by the Law Department and provides that "no such parade shall be held in the above named streets or any of them unless a permit shall be granted therefor by the Commissioner of Public Works with the approval of the Mayor."

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston.
In the Year Nineteen Hundred and Eleven.
An Ordinance.

Be it ordained by the City Council of Boston, as follows:

Section 1 of chapter 6 of the ordinances of the year 1910 is hereby amended by adding at the end thereof the following: No such parade shall be held in the above named streets or any of them unless a permit shall be granted therefor by the Commissioner of Public Works with the approval of the Mayor.

Referred to the Committee on Ordinances.

PARK STREET SIDEWALK — VETO.

The following was received:

City of Boston,
Office of the Mayor, May 27, 1911.

To the City Council:

I return without my approval your order directing that a sidewalk of artificial stone be constructed along both sides of Park street, between Anawan avenue and Clement avenue, Ward 23, for the reason that the Acting Commissioner of Public Works reports that it would be advisable to have an order passed covering the construction of a sidewalk on the northwesterly side of the street only.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Public Works Department,
City Hall, May 15, 1911.

To the Honorable the Mayor:

I respectfully recommend that the order of the City Council calling for the construction of a sidewalk along both sides of Park street, between Anawan avenue and Clement avenue, passed May 8, 1911, be withdrawn, and a substitute order introduced calling for the construction of an artificial stone sidewalk along the northwesterly side of Park street, between Anawan avenue and Clement avenue, Ward 23.

Yours respectfully,
JAMES H. SULLIVAN,
Acting Commissioner of Public Works.

Placed on file.

COST OF IMPROVEMENTS, TRAINING FIELD.

The following was received:

City of Boston,
Office of the Mayor, May 25, 1911.

To the City Council:

I beg to transmit a communication from the Superintendent of Public Grounds relating to an order passed by your honorable body at its meeting of May 8, 1911, on the subject of the cost of planting trees in certain of the Charlestown parks and of erecting a drinking fountain in the training field.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Grounds Department,
May 22, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

Dear Sir,—In regard to the inclosed order from the City Council, dated May 8, 1911, "that the Superintendent of Public Grounds be requested, through his Honor the Mayor, to send to the City Council an estimate of the cost of setting out a sufficient number of trees in training field, City Square Park, Sullivan Square Playground and Charlestown Heights, to beautify said breathing spaces; also an estimate of the cost of erecting a suitable drinking fountain in the training field," I would say that it will cost $600 to plant a sufficient number of trees in the training field (Winthrop square) and City Square Park, and a suitable drinking fountain for the training field will cost $125.

As Sullivan Square Playground and Charlestown Heights are not included in care of this department, I would refer that portion of the order to the Park Department.

Very truly yours,
G. H. SULLIVAN,
Superintendent.

Placed on file.

AWARD TO CITY FOR DAMAGES.

The following was received:

City of Boston,
Office of the Mayor, May 25, 1911.

To the City Council:

I transmit herewith a notice from the secretary of the Boston Transit Commission, relating to an award of damages amounting to fifty dollars ($50) for the taking by said commission of easements and rights in the estate No. 33 Beacon street, belonging to the City of Boston, together with an opinion of the Corporation Counsel upon the action which he deems advisable by the city government under the circumstances. In accordance with his advice I have prepared the accompanying order, which I submit to your honorable body as the most direct method of concluding the transaction.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Law Department, May 22, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston:

Dear Sir,—I return herewith vote of the Transit Commission awarding $50 for damages to the apartment house No. 33 Beacon street which the city holds in trust.

The top of the arch of the tunnel, that is, the highest point, is 50 feet below the sidewalk of

Beacon street at this point, and I think about 45 feet below the bottom of the cellar floor. It goes under a small portion of this estate, part of it being under the next estate, No. 34 Beacon street. The damages are nominal and the award is nominal. It would not pay to fight the matter and I would recommend that the City Council pass a vote authorizing the City Treasurer to accept the award of the Transit Commission for damages to this estate No. 33 Beacon street and to receive the $50 and invest it, the income to he used in accordance with the terms of Mr. Parkman's will.

Yours respectfully,
THOMAS M. BABSON,
Corporation Counsel.

(Accompanying the communication was the vote of the Transit Commission awarding $50 damages.)

Ordered, That the City Treasurer be, and hereby is, authorized to accept an award of fifty dollars ($50) for damages due to the taking of certain easements and rights in the estate No. 33 Beacon street by the Boston Transit Commission, on October 18, 1910; and to invest said sum, the income to he used in accordance with the terms of Mr. Parkman's will.

Referred to the Executive Committee.

ENTERTAINMENT OF CANADIAN REGIMENT.

The following was received:

City of Boston,
Office of the Mayor, May 25, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order providing that the sum of one thousand two hundred dollars ($1,200) be transferred from the Reserve Fund to the appropriation for Mayor, Office Expenses, etc., for the entertainment of the Sixty-second Regiment St. John's Fusiliers, of St. John, N. B., who are to visit Boston June 17, 18 and 19, 1911. A letter from Brigadier General William H. Oakes, retired, M. V. M., chairman of the Reception Committee, which was forwarded to your honorable body at its meeting of May 22, states that this regiment has been granted permission by the State and War Departments of Washington to carry arms and guns and comes in an official capacity as representing the Canadian government. Under the circumstances it seems to me to be entitled to the hospitalities of the city and the sum specified in the order is about equal to the amount appropriated upon a similar occasion last year.

Yours very truly,
JOHN F. FITZGERALD, Mayor.

Ordered, That the City Auditor be, and hereby is, authorized to transfer the sum of one thousand two hundred dollars ($1,200) from the appropriation for Reserve Fund to the appropriation for Mayor, Office Expenses, etc., for the purpose of entertaining the Sixty-second Regiment St. John's Fusiliers, of St. John, N. B.

Referred to the Executive Committee.

LIBRARY NEEDS IN CITY.

The following was received:

City of Boston,
Office of the Mayor, May 25, 1911.

To the City Council:

I beg to transmit for your information a letter from the president of the Library Trustees, relating to the need of providing suitable buildings for the branch libraries in different sections of the city.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Office of Library Trustees of the
City of Boston,
Copley Square, Boston, Mass.,
May 22, 1911.

To His Honor John F. Fitzgerald,
Mayor:

Sir,—In the view of the pending propositions for the construction of municipal buildings in the different parts of the city for the accommodation of courts, gymnasiums, baths and other municipal activities and in which it is also proposed to place branch libraries, the Board of Trustees desire to call your attention and through you the attention of the City Council to the views of the trustees upon this subject. In their report to you for the year ending January 31, 1910, the trustees gave very full information as to the branch library system of the city and said that the work done through the branches had increased to such an extent that the accommodations provided in many of the buildings occupied by them had become most inadequate and inconvenient. We beg to refer specially to pages 9 to 21, inclusive, of that report for full information on this subject. The Board then said and desires now to repeat that:

"The time has passed when the branch libraries can be properly operated in buildings partly devoted to other uses. The scheme of a municipal building devoted to baths, gymnasiums, and other activities, and also providing for the library, while apparently having advantages from the point of view of a neighborhood center, does not properly provide for the work of the library. The work the library is doing is so far educational that it should be treated with the same consideration as to its accommodations as is given to the schools. Branch library buildings ought to be planned especially and solely for library purposes and should be dignified but not expensive or elaborate structures. The other important cities in the United States are providing for their branch libraries independent buildings of modern construction especially adapted to library work. The trustees are of the opinion that the same course should be followed here. It would add to the efficiency of the service, and benefit the people at large as much as any improvement which could be made in our library system."

This statement was approved by the Examining Committee of last year and again set forth in the trustees' report for the year ending January 31, 1911.

The experience of the Board in so managing the branch library system as to be of the most benefit to the people at large in all parts of the city, makes them more and more strong in the opinions above expressed. It should be observed, however, that these remarks apply to branch libraries and not to reading rooms. The branch libraries are independent libraries, all having considerable collections of books, many of them large and quite valuable collections, and are the centers of distribution for books, so that they practically answer the purpose of independent libraries for the different parts of the city in which they are placed, with the additional advantages they provide by connection with the Central Library, which would not be derived from independent libraries not worked as part of the library system.

I address this communication to your Honor in accordance with the unanimous vote of the Board on Friday last.

Respectfully,
J. H. BENTON, President.

Referred to Committee on Branch Libraries.

APPROVAL OF GREEN STREET STATION.

The following was received:

City of Boston,
Office of the Mayor, May 24, 1911.

To the City Council:

I transmit herewith, in order that it may be placed in the files of the City Clerk, a plan showing elevation and section of the elevated and subway construction of the proposed Green Street Station.

I have approved this plan in writing as to architectural appearance and obstruction to light and air, in accordance with the provisions of chapter 500, section 6, of the Acts of 1897.

Respectfully,
JOHN F. FITZGERALD, Mayor.

(The plan accompanied the message.)

Placed on file.

SUGGESTIONS CONCERNING PUBLIC WORKS DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, May 25, 1911.

To the City Council:

As supplementary to the reports submitted by various departments upon the suggestions presented at the district meetings held in February, forwarded to your honorable body at its meeting of May 15,

1911, I transmit herewith the report of the Commissioner of Public Works upon the requests and suggestions affecting his department.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Public Works Department,
City Hall, May 23, 1911.

To the Honorable the Mayor:

In accordance with inquiry of Acting Mayor Walter L. Collins, under date of March 2, 1911, I respectfully forward reports of the division engineers relative to requests made at the so-called town meetings held in February and the action which has been taken or which will be taken to comply with them.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

City of Boston,
Public Works Department, May 20, 1911.

Mr. L. K. Rourke,
Commissioner of Public Works:

Dear Sir,—I submit herewith report upon matters affecting the Bridge and Ferry Division, suggested at the district meetings held by his Honor the Mayor in February, 1911.

Respectfully,
FREDERIC H. FAY,
Division Engineer.

—

New Meridian Street Bridge.

An appropriation of $125,000 is already available for repairs to Meridian Street Bridge. This sum is sufficient to provide for the repairs to the pile bridge and the rebuilding of the draw span with waterways 70 feet in width. The State Harbor and Land Commission have already given authority for the reconstruction of the bridge with 70-foot waterways, but permission for this work has not been obtained from the United States Government authorities, and it is likely that they may insist upon a waterway 100 feet in width, which will necessitate an increase in the appropriation of $63,000. The city cannot proceed with the work until authority has been obtained from the Secretary of War.

New Winthrop Bridge.

It is the opinion of the Corporation Counsel that at the present time neither Boston nor Winthrop is legally responsible for the maintenance or reconstruction of this bridge. The matter of the rebuilding of this structure and the apportionment of the cost thereof between Boston and other communities benefited is included in a bill now pending in the Massachusetts Legislature, and until some act is passed it would appear that the city can take no steps toward the reconstruction of this bridge.

Public Boat Landing at Meridian Street Bridge, East Boston.

A public boat landing can be placed at this bridge on the downstream, East Boston side, at an estimated cost of $3,500. This sum will provide a scow float 60 feet by 30 feet in size and about 4 feet deep, with water-tight compartments, together with stairways 3½ feet wide and the necessary platform. A slight amount of dredging will be necessary to make this location available at all stages of the tide. This dredging can be done at the time of the reconstruction of the bridge.

Public Boat Landing, Wood Island Park, East Boston.

There is no satisfactory location at Wood Island Park for such a landing. The best location is on the southerly side of the point, but considerable dredging will be required or else a long pier must be built to reach the channel, otherwise the landing could not be used at low water. The estimated cost is as follows:

Long pier	$3,000
Scow float, etc.	3,000
Total	$6,000

Public Boat Landing at Harbor View, East Boston.

The most satisfactory location at this point is at the foot of Byron street at Brooks's shipyard. Arrangements could probably be made for the right to use Brooks's shipyard, although extensive repairs will be necessary before the pier can be made safe. The estimated cost of a scow float with necessary runway is $3,000. This sum does not include the cost of right of way and location at Brooks's shipyard.

Public Boat Landing at Jeffries Point, East Boston.

The most available site at this location is at the dock owned by Mr. George C. Fitzpatrick. The estimated cost of a scow float with necessary runway is $3,000. This sum does not include the cost of right of way and location over the Fitzpatrick property. In this connection a letter is submitted from Mr. Fitzpatrick offering to provide a float and to rent same to the city for the sum of $400 per year.

Sidewalks on Ashland Street Bridge, West Roxbury.

There are no sidewalks on this bridge at present. Two sidewalks can be provided at an estimated cost of $4,000.

—

George C. Fitzpatrick & Co.,
East Boston, March 16, 1911.

Mr. Frederic H. Fay,
Division Engineer,
Boston, Mass.:

Dear Sir,—In regard to a location for a public landing at Jeffries Point, East Boston.

I will install a 90-foot float and runway to the same, and lease sufficient land at my wharf for use of the same and fix up a proper approach to said float from the street. The lease to run for one year from such date as you may name and the price to be $400 per year, payment to be made at such time as you name.

This landing would be used by the public more than all the rest of the landings in Boston, except, perhaps, the one at Marine Park, City Point.

Yours truly,
GEO. C. FITZPATRICK.

—

City of Boston,
Public Works Department, March 15, 1911.

Mr. Louis K. Rourke,
Commissioner of Public Works:

Sir,—Reporting on the recommendations submitted to his Honor the Mayor at the "neighborhood meetings," the following statement is made:

Roxbury.

Improvement in care of streets; repair some of the old streets. These two are maintenance matters and will be considered when the weather permits.

Noiseless pavement on Orchard park and Ambrose street. Asphalt pavement on these streets would cost $6,000 and $2,500, respectively.

Charlestown.

Repair Medford street. Expect to relay greater part of this street this season.

Brighton.

Improve Western avenue. This is a macadam street, but should be paved with granite blocks. The department has provided a number of paving blocks at Brighton and will have the department force employed at this work.

Dorchester.

Pave Talbot avenue and Washington street with brick. The cost of this work will be $120,000 and $110,500, respectively.

Kilton, Faxon, Harvard avenue and Vaughn streets are private ways. Geneva avenue, between Bowdoin street and Columbia road, will be advertised for bids next month.

Street cleaning is now done by the department force.

Mascot street is a private way.

Yours respectfully,
JAMES H. SULLIVAN,
Division Engineer.

—

City of Boston,
Public Works Department, May 11, 1911.

L. K. Rourke, Esq.,
Commissioner of Public Works:

Dear Sir,—I submit herewith report upon matters affecting the Sewer and Water Division, suggested in "district meetings" held by his Honor the Mayor February last.

Very respectfully,
F. A. McINNES,
Division Engineer.

Water Service.

1. Ward 8.—High Pressure Water Service in West End.

If the high pressure fire service is referred to, I would say that it is expected this new service will extend in Charles street, from Cambridge street to Allen street; through Allen, Chambers and Green to Pitts street, thence branching in one direction through Pitts street, Portland to Hanover, etc. In another direction through Green, Bulfinch, Howard, etc., with pipes in Chardon, Hawkins and Sudbury streets. Throughout the extent of this pipe hydrants will be placed at frequent intervals, affording efficient fire protection in the neighborhood of the mains.

If high pressure for sprinklers and fire pipes is referred to, I would say that the policy in the past has been to extend this service as the needs of the district require it.

2. East Boston.—Improvement in Water Service.

The water supply in East Boston has been very greatly strengthened by the 30-inch and 24-inch mains laid last winter in Chelsea street, from Chelsea creek to Brooks street. At Chelsea creek this new main connects with a 30-inch main recently laid by the Metropolitan Water and Sewerage Board under Chelsea creek and through Chelsea, connecting with other mains of the Metropolitan Water and Sewerage Board near the corner of Marginal and Shawmut streets, Chelsea.

3. Complete Work on Geneva Avenue.

The work of the Water Service has been completed on Geneva avenue.

4. Improve Washington Street, Dorchester, Codman Square to Lower Mills.

A contract has been made for the water pipe necessary to extend the existing 30-inch main in Washington street, from Codman street to Sanford street. This work will be done this season, and will greatly improve the water service for Dorchester.

—

City of Boston,
Public Works Department, May 11, 1911.

Mr. F. A. McInnes,
Division Engineer Sewer and Water Division.

Dear Sir,—In reply to yours of March 8, mentioning improvements asked for by citizens at town meetings since February 1, I beg leave to submit the following statement:

Ward 12.

"Improve the sewerage works of the South End." This had been mentioned at previous town meetings and was fully discussed in my letter of January 27, 1911.

Roxbury.

"Improve drainage around Roxbury Crossing." The trouble here is due to two causes—the flatness with which the whole crossing is graded and the amount of water brought down in the street car tracks in Tremont street, Columbus avenue and Roxbury street. Track basins near the foot of the slope of the above-mentioned streets, and at the low points in Roxbury Crossing itself, are what would seem to be required; a change in the grading of the crossing, giving a greater height in the middle of the square, would also be desirable.

Charlestown.

"Restore old Charlestown sewer yard." The Charlestown sewer yard was abolished on account of the small amount of sewer work in sight in Charlestown, and the maintenance of the district is being attended to from East Boston, and, I believe, satisfactorily. I do not advise the restoration of the old Charlestown sewer yard, as there is considerable fixed charge necessary for the maintenance of any of these yards.

Dorchester.

"Complete work on Geneva avenue." This work has been completed.

West Roxbury.

"Catch-basins should be attended to more regularly in the Forest Hills section." All the basins in and around this section were cleaned recently.

Respectfully,
E. S. Dorr,
Chief Engineer Sewer Service.

Referred to Committee on Finance.

RELEASE OF LAND.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1911.

To the City Council:

I beg to transmit a letter from the Commissioner of Public Works, together with communications from the Corporation Counsel and the Division Engineer of the Highway Division and an order providing for the release and conveyance of a strip of land extending from Norfolk avenue to Massachusetts avenue to the trustees of Boston College. In view of the facts recited by the officials named above, I believe that it would be proper for the city to release the land in question, retaining the sewer easement which the city holds therein, and I therefore recommend the adoption of the accompanying order which would permit this to be done.

Respectfully,
John F. Fitzgerald, Mayor.

—

City of Boston,
Public Works Department,
City Hall, May 31, 1911.

To the Honorable the Mayor:

Re attached letter of May 24 from Rev. Thomas I. Gasson, regarding the Boston College athletic field, I submit various reports regarding the same. The Street Commissioners have no intention, nor do they know any reason why they should construct a street within the limits of this forty-foot strip. I therefore do not see any reason why it should not be released, retaining at the same time, however, the necessary sewer easement. The Corporation Counsel has prepared the attached order for submission to the City Council.

Respectfully,
L. K. Rourke,
Commissioner of Public Works.

—

City of Boston,
Law Department, May 19, 1911.

Louis K. Rourke, Esq.,
Commissioner of Public Works,
City Hall, Boston:

Dear Sir,—I return herewith letter of Edward G. Richardson, assessor, and the accompanying plan, in regard to a release to the trustees of the Boston College of the city's rights in lands between Massachusetts and Norfolk avenues. You ask me to inform you with regard to the rights which the city at present has in said land, and what would be a fair compensation for the conveyance of said land to said trustees.

In reply to the first question I would say that on the thirty-first day of October, 1888, Oliver Ames, Oakes A. Ames and Frank M. Ames, the owners of certain lots situated on both sides of Dorchester brook, so called, between Norfolk avenue and East Chester park, now Massachusetts avenue, in consideration of $10,000 and a release of sewer assessments, conveyed to the City of Boston for a highway a strip or parcel of land 20 feet on each side of the center line of the sewer constructed by said city through the land of the grantors, between Norfolk avenue and Massachusetts avenue in said Boston, beginning at the place where said sewer enters the premises of said grantors, and ending where said sewer leaves the premises of the grantors and passes under East Chester park, said strip of land being 40 feet wide and about 1,000 feet long. The grantors by said conveyance gave the City of Boston the right to slope on the abutting lands the filling when required for grading said highway when built at such grade as may be established. This conveyance is recorded in Book 1848, page 517, of the Suffolk Registry of Deeds. Examination of this conveyance shows that the city has a strip of land 40 feet wide and 1,000 feet long extending from Massachusetts avenue to Norfolk avenue. In it it has a sewer and the right to maintain and repair the sewer, the right to build a highway 40 feet wide on this strip and to slope the filling on both sides of the street without paying damages, and that it paid $10,000 for this right.

As to the second question, as to what would be a fair compensation for the conveyance of said land to said trustees, I am not in a position to answer it. I understand that the city has a sewer there and may need another sewer. If so it could not afford for any consideration to give up its rights to maintain the sewer or enter upon the land for the purpose of repairing or reconstructing it. As to the portion of this strip not needed for

sewer purposes its value to the city depends upon the probahility of a street heing laid out in this locality. If there seems to you a prohahility that a street will be needed in this locality, hetween Norfolk avenue and Massachusetts avenue, then this 40-foot strip should not be released. If there is no prohahility of a street being laid out in this locality between Norfolk and Massachusetts avenues and our right to maintain, repair and reconstruct the sewer is retained, then the strip is of little value to the city.

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

—

City of Boston,
Assessing Department, May 10, 1911.

Mr. Louis K. Rourke,
Commissioner of Puhlic Works,
Room 66, City Hall, Boston, Mass.:

Dear Sir,—In reply to a verhal request from your office for an opinion as to what the city should rceeive from the trustees of Boston College for a release of its right of fee in land between Massachusetts and Norfolk avenues, still rctaining an easement of at least 25 feet, I would say at the outset that the values to be fixed must neccssarily he governed by matters that appear to be of a legal nature, and which, in my opinion, should be referred to the Law Department.

A careful perusal of the terms of the original agreement between Oliver Ames *et al.* and the City of Boston, dated October 31, 1888, shows that in the settlement of the case, which had been pending since August, 1882, it was provided that said Ameses "shall convey to said City of Boston a strip of land 40 feet wide, extending from said land owned by them between Norfolk avenue and East Chester park, for a highway, the center line of which is to he directly over the center line of said sewer; and that said city shall pay to said Ameses the sum of $10,000 in settlement of said claims, and shall not require them to pay any assessment for said sewer or for betterments on account of said highway."

In my opinion, therefore, it is for the Law Deparment to determine whether the original agreement compels the construction of the highway—even though it be at some distant date—or if the change from a fee to an easement would give the city eventually the right to huild a highway and then be able to assess the betterments, which, under the present condition, is ahsolutely impossible.

In arriving at an opinion as to the value, necessarily one of the first things to be considered is the value and character of the property in the immediate vicinity of the land in question.

This is a section that probahly could be developed only for manufacturing or wholesale purposes, and it seems to me that a highway through this land is absolutely necessary for such purposes. If it is only useful for highway purposes it should be known whether the city is ohliged to huild this street, or what value the street would be to the present owners, keeping in mind the fact that it was the evident intention of the city to build the street as implied in the agreement.

Then arises the pertinent question whether, with the city holding an easement, it would he possihle to huild over the sewer, and if so what the restriction would he. To my mind no manufacturing or other concern would find it practical to construct a building over this sewer, being deprived of a basement or first story, or hoth.

This lot appears to have a frontage on Massachusetts avenue of 40 feet and extends through to Norfolk avenue, where it has a frontage of less than 5 feet. In the plan submitted to me it appears that the average depth is 850 feet, which would give a lot 40 by 850, containing 34,000 square feet, through which a sewer runs 25 feet. Such a lot is of little actual value for any purpose except for a highway or passageway. For building purposes only a structure without a basement could be erected on that part of the lot facing Massachusetts avenue. Such a huilding would have to be supported on either side of said sewer, there being, I understand, only about 7½ feet clear on each side, or about 15 feet in all. This would leave the balance of land without means of access, unless an opening was left through the front lot.

Taking into account the dimensions of this lot, development without a highway does not appear to me at all practicahle, although, of course, the lot is worth considerahle to the owners of the adjoining land if used in conjunction with it, as they will need a highway to best develop that property.

In my opinion, therefore, if the city receives $2,000 for said strip I think it would receive fair compensation for the same, and this decision is made provided said land can he used by the city for other purposes than a highway, if not released. If it cannot, the value then is merely nominal.

Yours respectfully,
EDWARD G. RICHARDSON,
Assessor.

—

Ordered, That his Honor the Mayor he and he is herehy authorized in the name and behalf of the city and by an instrument satisfactory to the Law Department to release and convey to the trustees of Boston College, in consideration of the sum of two thousand dollars, all the city's right, title and interest in and to a strip of land forty feet wide, extending from Norfolk avenue to Massachusetts avenue through the land of said trustees, being the same parcel of land conveyed to the city for a highway by Oliver Ames and others hy deed dated Octoher 31, 1888, and recorded with Suffolk Deeds, Lib. 1848, page 517, together with the right to slope the filling of said highway, when huilt, upon the ahutting lands of said trustees; reserving, however, to said city the right to maintain the existing sewerage works in said parcel of land and to enter upon said land at any time for the purpose of maintaining, repairing or reconstructing said sewerage works; and for said consideration the Mayor is also authorized to release to said trustees any rights heretofore granted to the city to lay and maintain water pipes in that portion of said trustees' land which was formerly known as Oak street.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

W. H. Holbrook, to he paid for damages to automobile hy fire apparatus.

Margaret A. Kemp, for compensation for injuries for her falling on sidewalk at 33 Tremont street.

Edmund K. Baker, offering to surrender alleged invalid tax deeds, and requesting that he be reimhursed for the same, estates 115 Chelsea street, Ward 3, and 160 Bowen street, Ward 13.

Laurence Minot, to be paid expense incurred on account of the stoppage of main sewer at 1 Noanet street.

Slattery Estate, to he paid for damages on account of an alleged defective sewer opposite 104 Prince street.

Vincent Prezinso & Co., for compensation for damages at 124 Prince st., by employees of the Public Works Department.

Herbert H. Griggs, for compensation for damages caused by bursting of a water pipe at 21 Bail street, Ward 18.

Theodore Jennings, for compensation for injuries caused by an alleged defect in sidewalk, corner Boylston and Tremont streets.

Executive.

Petitions were received for sidewalks, as follows:

Brick with Granite Edgestone.

Frank Macellano, 342 Princeton street, Ward 1.

Brick.

N. J. Cohen, 108, 110 Alexander street, Ward 16.

Joseph F. Travers, 178–180 Winthrop street, Ward 17.

Artificial Stone with Granite Edgestone.

Thomas Douglas *et al.*, 3–11 Leyland street, Ward 16.

Hagopian Brothers, 2–8 Erie street, Ward 20.

Daniel J. Daly, 75–77 Pleasant street, Ward 20.

Mark Harris, 179–187 Millet street, Ward 20.

Joseph Harris, 258–262 Millet street, and on Wheatland avenue, Ward 20.

George N. Douse, 152–154 Stanwood street, Ward 20.

Mrs. Jane Wells, 22 Newport street, Ward 20.

J. S. B. Heath, 24 Mt. Everett street, Ward 20.

Louis A. Ginshurg, 246 Seaver street, Ward 21.

Michael McPherson, 222–232 Belgrade avenue, Ward 23.

M. McPberson, 238 Belgrade avenue, Ward 23.
Patrick Lyons, 30 Torrey street, Ward 24.
W. N. Trafton, 34 Torrey street, Ward 24.
E. Alton Bisbee, 38 Torrey street, Ward 24.
Catherine Maber, 107–111 Lauriat avenue, Ward 24.

Petitions for children under 15 years of age to appear at various places of amusement, viz.:

Harriet Brackett, for a permit for children to appear at Industrial School Hall, 39 N. Bennet street, on evening of June 9.

Adelina and Jennie Lewis, for a permit for children to appear at Betbesda Hall, on evening of June 8.

Bernadette Masterson, for children to appear at Knights of St. Rose Hall, on evening of June 1.

Walter Kee, for cbildren to appear at Bloomfield Hall, on evening of June 6.

Alice F. Kievenaar, for cbildren to appear at Commonwealtb Hall, on evening of June 26.

CONSTABLES' BONDS.

Tbe City Treasurer, after having duly approved of tbe same, submitted constables' bonds, viz.:

George A. Borofski, Clarence H. Knowlton, Anthony McNealy, Jobn J. Walsb, Jobn F. Welch.

Approved by the Council.

APPROVAL OF APPOINTMENT.

Notices were received from tbe Civil Service Commission of the approving the appointments of Patrick H. Mullowney, as member of tbe Board of Health, and Alexander Steinert as member of tbe Art Commission.

APPROVAL OF LOCATION CHANGE.

Notice was received from tbe Board of Railroad Commissioners of approval of change in boot blacking stand at the Milk Street Station of the Wasbington Street Tunnel in Boston.

Placed on file.

NOTICE OF INTEREST.

Notice was received from Fred S. Gore, Penal Institutions Commissioner, of ownership of one share in the Fred S. and A. B. Gore Corporation, which was tbe lowest bidder on the contract for furnishing and setting edgestone and paving gutters on Hutcbings street.

Placed on file.

ERECTION OF POLES.

Copies of orders were received from the Street Commissioners granting permission to the Edison Electric Illuminating Company to erect and to remove one pole on West Newton street. Also granting permission to the New England Telephone and Telegrapb Company to erect and to remove one pole on Park street, Ward 23.

Placed on file.

STORAGE OF OIL.

Notices were received from tbe following named parties that tbe following named buildings were used by them for tbe storage of explosives, and of intention to use same for tbe ensuing year, viz.:

P G. H. Bennet & Co., 11 Lansdowne street, Ward 11.

Massacbusetts Auto Club, 761 Boylston street, Ward 11.

T. A. Cromwell & Son, Inc., Boston Harbor.

Joseph I. Taylor, 893 Soutb street, Ward 23.

Four Brotbers Independent Oil Company, 52 Cambridge street, Ward 25.

Placed on file.

MINORS' LICENSES.

President COLLINS submitted reports on petitions of fifteen newsboys and six vendors for minors' licenses—recommending tbat licenses be granted.

The licenses were granted on usual conditions.

WIDENING MERIDIAN STREET BRIDGE.

The following was received:

Boston Finance Commission,
410-416 Tremont Building,
Boston, Mass., May 27, 1911.

To the Honorable the City Council:

Gentlemen,—Tbe Finance Commission received from the City Council on May 15, 1911, for investigation and report, letters from the Mayor, the Commissioner of Public Works, and the engineer of the division of bridges and ferries in the Department of Public Works (copies of whicb are hereto annexed), all of said letters being in relation to tbe proposed widening of the Meridian Street Bridge between East Boston and Chelsea.

The commission finds that the original intention of tbe city autborities was to substitute a steel draw span for the present wooden one, leaving the width of the two channels, 59 fect each, unchanged. According to the letter of the engineer of tbe division of bridges and ferries, the War Department agreed with tbis plan of the City Engineer, and tbe Mayor thereafter requested and procured from the City Council an appropriation of $125,000 to carry the plan into effect. Tben, apparently owing to the desire of wbarf owners on Chelsea creek above the bridge for a wider draw, and tbe fact tbat the Boston Elevated Railway Company agreed to pay a portion of the cost of reconstructing the bridge, the city authorities agreed to a plan wbereby tbe channels would be widened to 70 feet. On account of tbe contribution of tbe Elevated Railway Company it was not necessary to increase the appropriation. If, bowever, tbe city applied tbe contribution to the cost of the repairs, originally planned, with channels 59 feet wide, the cost would have been considerably less than under tbe later plan.

It now appears, tbough no formal announcement bas been made, tbat the War Department, wbicb, according to tbe letter of tbe engineer of the division of bridges and ferries previously referred to approved of a draw with two 59-foot channels, may not approve of a draw less tban 100 feet wide. Tbe city autborities seem to bave abandoned the plan for a 70-foot draw and to have acquiesced in tbe plan for a 100-foot draw, and the Mayor, on April 14, 1911, submitted to the City Council a loan order for $63,000 to provide for tbe cbanges made necessary by tbe adoption of the plan for a wider drawbridge. Tbis loan order, unless rejected witbin sixty days by the City Council, becomes operative witbout further action.

The engineer of tbe Finance Commission bas interviewed officials in the office of the War Department Engineers in Boston, and has learned that no formal hearing bas been given on tbe question of increasing the width of tbe draw beyond its present widtb of 59 feet. In bis opinion a draw witb two 70-foot openings would be ample for all the demands of navigation during the life of the proposed temporary bridge, wbich is estimated to be from ten to fifteen years. The proposed plan for one opening 100 feet wide is in some respects inferior to the plan for a draw witb two openings, eacb 70 feet wide. Tbe widest drawbridge span in the City of Boston is now 75 feet; tbe next widest span is 60 feet. (See page 67, Street Department Report of the year 1909.)

If the Mayor and the City Council request a hearing before the United States Engineers at Boston, it will undoubtedly be granted, and the respective merits of.tbe various plans can then be discussed. If tbe Mayor sbould decline to join with the City Council in requesting such a bearing, the City Council could make the request itself, and the United States Engineers would probably, as a matter of courtesy, grant the hearing. Nothing would be lost by such application and $63,000 might be saved without detriment to tbe shipping interests involved or to the commercial interests of the city as a whole. So far no one has made a convincing statement of the necessity of the more expensive plan; and, if the City Council desires to know exactly wbat the reasons are for the increased appropriation, there would seem to be no better way of ascertaining definitely than through the medium of a formal hearing by the United States Engineers. The Finance Commission recommends that unless such bearing can be bad within sixty days from April 14, 1911, the loan order aforesaid be rejected.

Respectfully submitted,
THE FINANCE COMMISSION,
by JOHN A. SULLIVAN,
Cbairman.

City of Boston,
Office of the Mayor, April 14, 1911.

To the City Council:

For the reasons set forth in the accompanying communications from the Commissioner of Public Works and the Division Engineer of the Bridge and Ferry Division, it seems to me urgently necessary that the appropriation for the reconstruction of the Meridian Street Bridge should be increased by the sum of sixty-three thousand dollars ($63,000), which is the amount needed, according to the estimates made by the city engineers, for the widening of the draw to a width of 100 feet. I recommend therefore the passage of the appended order which provides this additional sum.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Works Department,
City Hall, April 14, 1911.

To the Honorable the Mayor:

In connection with the Meridian Street Bridge reconstruction, kindly note attached report of Division Engineer Fay upon the matter.

Inasmuch as the United States engineer insists on a channel 100 feet in width and will not approve the reconstruction of the bridge with the channel of less width, I would suggest that you recommend the Honorable City Council to provide an increase of $63,000 to the present appropriation in order to comply with the decision of Colonel Abbot.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

City of Boston,
Public Works Department, April 14, 1911.

Mr. L. K. Rourke,
Commissioner of Public Works:

Dear Sir,—On the occasion of the visit of his Honor the Mayor and City Engineer Jackson to Washington in June, 1910, an understanding was reached between the city authorities and the War Department by which the latter would agree to the city's plan for repairing Meridian Street Bridge by the construction of a new steel draw span in place of the existing wooden draw span and by making necessary repairs to the pile structure, leaving the two waterways at their present width, namely, 59 feet each. It was upon this plan that an appropriation of $125,000 for repairs to this bridge was made available last summer. In compliance with the requests of wharf owners on Chelsea creek above the bridge for a wider channelway, the city later agreed to the widening of each channel by 11 feet, and plans were prepared and bids received on February 28, 1911, for the reconstruction of the bridge with channels 70 feet wide. An understanding having been reached between the Superintendent of Streets and officials of the Boston Elevated Railway Company, by which that company would share in the expense of the work, owing to provision being made on the bridge for its heavy cars, it was possible to provide in the reconstruction for wider channels at extra expense without increasing the city's appropriation.

Since the conference between the city officials and those of the War Department last June the situation has changed, owing to the fact that Congress has made an appropriation for the survey of Chelsea creek with a view to dredging that waterway to a depth of 30 feet. It is practically certain that upon the completion of the surveys this fall Congress will at its next session authorize an appropriation for this dredging, and when the work is carried out, that channel will be available for the largest steamers now entering Boston Harbor. In view of this improvement of Chelsea creek a channelway through the bridge wider than 70 feet seems necessary to properly provide for navigation purposes, and the United States engineer officer in Boston, Colonel Frederic V. Abbot, insists upon the need of a channel at least 100 feet in width and will not approve the reconstruction of the bridge with a channel of less width.

Inasmuch as it is necessary to secure the approval of the War Department for any work that can be done, and as the Secretary of War is likely to be guided in his decision by the recommendations of his local officer in Boston, the city will undoubtedly be forced to accept this decision. At present the draw span of this bridge is in such a dilapidated condition that it is unsafe for street car travel and may at times become unsafe for travel of any kind and something should be done at once.

The bridge can be reconstructed with a single channel 100 feet in width, provided the present appropriation be increased by the sum of sixty-three thousand dollars ($63,000).

As the projected improvement of Chelsea creek will add to the taxable valuation of East Boston, and as the bridge as thus reconstructed will provide all facilities needed for navigation for years to come, thereby postponing for some years the building of a permanent bridge on this location, it is recommended that this additional appropriation be made.

Respectfully,
FRENERIC H. FAY,
Division Engineer.

—

Ordered, That the sum of sixty-three thousand dollars ($63,000) be hereby appropriated, to be expended by the Commissioner of Public Works in the reconstruction of the Meridian Street Bridge; and that to meet the said appropriation the City Treasurer be authorized to issue from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

PROTEST BY NEWSBOYS.

Coun. CURLEY presented the following:

Boston Newsboys' Protective Union,
Boston, Mass., May 27, 1911.

Hon. James M. Curley,
Boston City Council:

Dear Sir,—Inclosed please find copy of resolutions protesting against the passage of an order introduced by Coun. Earnest Smith proposing to turn over to the Boston School Committee the jurisdiction of licensing minors who are over the age of fourteen, now under the authority of the City Clerk of the City of Boston.

We respectfully request that our protest be given a careful consideration when the matter comes before your body for a final decision.

Very respectfully yours,
Boston Newsboys' Protective Union,
B. H. ROBRISH, Secretary.

—

Whereas, Coun. Smith has introduced an order in the City Council to abolish the present system of licensing newsboys who are over fourteen years of age, which power is now conducted by the City of Boston, and to turn the same over to the School Committee; and

Whereas, This order is another scheme by certain individuals to gain control over all the newsboys in Boston for reasons that would be only beneficial to their personal interests, and which proposition was twice turned down by the Massachusetts Legislature; and

Whereas, The City Council by passing this order would be placing all newsboys in the tyrannical and arbitrary power of the Licensing Department and the Newsboys' Court of the Boston School Committee, whose officers have the sole authority to take away or suspend a newsboy's license without a hearing; and

Whereas, The authority of the School Committee was granted by the Legislature in order to keep the newsboys more attentive to their studies in the schools, and as the newsboys which this order now proposes to turn over to the School Committee are not within the school jurisdiction of the School Committee; and

Whereas, Since the present authority of boys under fourteen years of age has been under the supervision of the school authorities the number of boys brought into court for violations of their license regulations have been greatly increased, consequently placing a court record against a boy for life mainly for mere trivial offences, such as neglect to properly display their bulky badge, or leaving their badge at home for a day, or seen walking home five minutes after the regulated hour which they are allowed to sell their papers, a majority of such cases, in our opinion, being caused by the School Committee placing the authority and jurisdiction over the street conditions of newsboys in the hands of settlement house theorists who have no practical knowledge of the conditions of newsboys; and

Whereas, Heretofore the past system of licensing minors by the City of Boston has been proven successful to both the general public and the newsboys, therefore be it

Resolved, That we, the members of the executive board of Boston Newsboys' Protective Union, in meeting assembled, May 25, 1911, emphatically protest against this order introduced by Coun. Smith as an unwarrantable attempt to interfere with the present system of licensing minors in the City of Boston, and a subterfuge to place the control of newsboys, who have no connection whatsoever with the Boston School Committee, in the hands of certain individuals for their personal aggrandizement.

Referred to the Executive Committee.

CLOSING OF FANEUIL HALL MARKET.

A communication was received from George E. McKay, Superintendent of Markets, stating that the lessees of Faneuil Hall market, by a practically unanimous expression, request that the market houses may be kept open for business until 9 o'clock p. m. on Friday the 16th and remain closed on Saturday the 17th; provided permission may be given to those occupying basements and dealers in perishable produce to receive and dispose of the same until 9 o'clock a. m. on the 17th.

Mr. McKay approved of the request.

Referred to the Executive Committee.

MEDICAL EXAMINERS' DISTRICTS.

A petition was received from George Burgess Magrath and Timothy Leary, medical examiners for Suffolk district, asking the City Council of Boston, as commissioners for the County of Suffolk, to relocate the line established by an order of the Board of Aldermen on September 5, 1881, whereby the County of Suffolk was divided into two medical examiner districts.

Referred to the Executive Committee.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up No. 1, unfinished business, viz.:

1. Action on appointments submitted by the Mayor May 22, of William J. Doyle and Arthur N. Mansfield to be Weighers of Coal for the term ending April 30, 1912.

The question came on confirmation.. Committee —Coun. Curley and Hale. Whole number of ballots cast 9, yeas 9, and the appointments were confirmed.

FINANCE REPORT.

President COLLINS called up Nos. 2, 3 and 4, unfinished business, which were acted upon separately, viz.:

2. Ordered, That the sum of one hundred and twenty thousand dollars ($120,000) be appropriated, to be expended by the Superintendent of Public Buildings, for a municipal building in South Boston, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On May 15 the foregoing order was read once and passed, yeas 8, nays 0.

The order was passed, yeas 9.

3. Ordered, That the sum of eighty thousand dollars ($80,000) be appropriated, to be expended for a playground in Ward 5, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On May 15 the foregoing order was read once and passed, yeas 8, nays 0.

The order was passed, yeas 9.

4. Ordered, That the sum of fifty thousand dollars ($50,000) be appropriated, to be expended for a playground in Ward 20, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On May 15 the foregoing order was read once and passed, yeas 7, nay 1.

The order was passed, yeas 8, nay 1, Coun. SMITH voting nay.

ANNUITY TO MRS. COYNE.

President COLLINS offered an order—That, in accordance with the provisions of chapter 475 of the Acts of 1911, an annuity of $300 be hereby allowed and paid from the appropriation for Public Works Department, Sewer Service, for a period of ten years; said annuity to be paid as follows: To the widow and the children of Michael J. Coyne for the benefit of said widow and the children of said Coyne so long as she remains unmarried; in the event of the death of said widow within ten years from the date of the passage of said act, said sum shall be paid to a guardian, for the benefit of the children of said Coyne living at the death of the widow and then under eighteen years of age. In the event of the remarriage of said widow, and in any event at the end of ten years from the date of the passage of said act, all payments shall cease.

Referred to the Executive Committee.

PRINTING OF GARBAGE REPORTS.

Coun. HALE offered an order—That the City Clerk be authorized to have printed as a city document 1,000 copies of a volume containing the reports submitted in 1908 and 1910 of the commissions appointed to investigate the collection and disposal of refuse, the expense to be charged to the appropriation for City Documents.

The question came on the passage of the order.

Coun. CURLEY—Mr. President, I would move as an amendment that all propositions submitted relative to the contract now under consideration by the Commissioner of Public Works be included in this document.

Coun. Curley's amendment was adopted, and the order as amended was passed.

A QUESTION OF PRIVILEGE.

Coun. KENNY—Mr. President, I rise to a question of personal privilege. As chairman of the Committee on Finance I desire to state to the Council the present state of the finances of the city in respect to the borrowing capacity. On February 15 of this year, as estimated by the City Auditor, we had the right to borrow $3,780,983.47. Since that time there have been certain loans authorized, as follows: March 14, new quarters for fireboat crew, Boston side, $3,000; April 12, land and buildings for schools,—taken under the statute which permits the School Board to take each year, until the act is repealed, this amount,—$500,000. The Council also authorized on April 12 a loan for the making of highways, $300,000. That is an annual loan, although it is not compulsory. On the same date, April 12, an order was passed to borrow $250,000 for sewerage works. The city has a right to borrow each year until the act is repealed $1,000,000, but it is not compulsory; and I should have said that chapter 204 of the Acts of 1908 now authorizes the construction of sewers out of current taxes. Nevertheless the Council has authorized a loan of $250,000 this year for sewerage works. On May 15 an order was passed to borrow $120,000 for South Boston municipal building; on the same day to borrow $80,000 for a playground in Ward 5 ; and on the same day $50,000 for a playground in Ward 20. These last three orders have just had their second reading and passage to-day. For street lighting equipment the Council has already passed to its second reading an order for $300,000. For separate systems of drainage—estimated on the basis of one-twentieth of 1 per cent of property valuation, and compulsory by act of the Legislature from 1907 to 1912 inclusive—we have voted to borrow $700,000. I think, strictly speaking, the sum may be a few thousand dollars less, perhaps $696,000, but in round figures the sum is $700,000, and this, as I have already said. is compulsory. The School Committee have the right this year, and no doubt they will exercise it, to appropriate a quarter of a million dollars for the High School of Commerce and the School Administration Building. In 1909 they took $50,000, last

year $300,000, and this year, hcing the last year, they will prohahly have $250,000, completing the $600,000 which hy law they were authorized to appropriate. So, with the moneys already appropriated, passed to a second reading or fixed hy statute, we have already used $2,553,000. This sum, subtracted from the full borrowing capacity at the heginning of the fiscal year, leaves a halance of $1,227,983.47. In contemplation we have the Meridian Street Bridge, under an order now pending from the Mayor, $63,000. It is also contemplated that we must borrow for the high pressure service, under a recent statute which was accepted at the last meeting, $150,000. For Chelsea North Bridge, over the Mystic river, or for a temporary bridge, there will have to be borrowed prohahly during this year $250,000. Under an order from the Mayor dated May 15, for North End Pier, building, etc., we may have to borrow $5,000, although I have some question in my mind as to this item. I have not yet finished my examination of the matter, but I am rather inclined to the opinion that it should come out of maintenance. However, the order is pending and it is for $5,000. These four orders which I mention as being in contemplation—Meridian Street Bridge, high pressure service, Chelsea North Bridge, and North End Pier—amount to $468,000, which, suhtracted from the $1,227,-983.47, leaves a balance of $759,983.47. It has been said that $500,000 is none too large a margin of safety for a city of the size of Boston to place in the Reserve Fund. The City Auditor helieves—and in this I think we all agree—that the entire horrowing capacity of the city should not be exhausted in any year, but that a reserve of not less than $500,000 should be maintained for emergencies such as epidemics, conflagrations, bursting of water mains, contingencies of that character. So if we subtract the $500,000 from the balance of $759,-983.47, we have a halance of $259,983.47. Looking forward to the end of the year we may he confronted, and are likely to be confronted with other propositions of a general character. For instance, in connection with the garbage contract, arising out of the question of garhage disposal, we may be called upon to construct incinerators, and I helieve it has heen estimated that $300,000 might he necessary for this purpose. The City Hospital is calling for an extension of its new South Department, for the construction of a huilding for contagious diseases, and says it will require $300,000 for the purpose. At Long Island the trustees tell us that they are going to require some money for the construction of a building that will take the place of the Charlestown almshouse, which I understand is to he discontinued in the very near future,—this summer, about July 1, if I am correctly informed,—and it has been estimated that $200,000 will be required for that project. The South Terminal Station judgment may mature during the year. We have already set apart to meet this liahility $425,000, but at the present time, if the finding of the Auditor should become fixed and the judgment should he entered on his finding, the city would require at least $275,000 to extinguish that judgment. These last four items amount to $1,075,000. If it were possihle for the city to go on horrowing and loans were made to meet these several items, there would be a deficit of $815,016.53. In addition to that I believe we have had a communication from the Mayor calling upon us to horrow $50,000 for the Consumptives' Hospital. Money is required for the construction of a huilding, I am told, at the North End for lihrary purposes. Money is demanded also, or called for, in Ward 7 for the construction of a municipal building; and there are numerous other items which I helieve the Mayor is desirous of having the Council take up. I would like to say that so far as the Committee on Finance is concerned I think we have reached our limit this year. That must he evident to any person who has followed the reading of those figures. There may he some pressing necessities throughout the city which will require the Council to in some way meet the desires of the Mayor and if there are and we feel that they are of sufficient importance to warrant our doing so, I shall not as one member ohject to some moneys being used from taxes to meet these current needs. We have already appropriated this year $800,000 for the construction of an annex to City Hall, and the School Committee has in years past used money raised in taxes to construct school huildings. The statute expressly gives us the right to pay for the construction of sewers out of present taxes. So, as I say, if I am convinced of the neccssity of some items which we can reasonably and fairly meet hy current taxes I do not think I should object to so meeting them at this time. I believe in the policy of paying as we go, as far as we can; I do not believe in the policy of piling up a debt on the city. I would like to see the day come when the piling up of debt is arrested.

Coun. CURLEY—Mr. President, will the gentleman yield for a question?

Coun. KENNY—Certainly.

Coun. CURLEY—I would like to ask Coun. Kenny how he feels about an appropriation of, say, $85,000 to $100,000 for North End Lihrary.

Coun. KENNY—Why, I think out of taxes I should favor it.

Coun. CURLEY—You would not favor it out of loans that are available.

Coun. KENNY—No. I don't think we have the money available.

Coun. CURLEY—You don't know how the other memhers of the Board feel upon the matter?

Coun. KENNY—I haven't any idea; no, sir.

Coun. CURLEY—You are just speaking as an individual in making this report? It is not a report to the Board after conference with any other memhers?

Coun. KENNY—No. I think that concludes all I wish to say on the subject.

PUBLIC LIBRARY, NORTH END.

Coun. ATTRIDGE offered an order—That the sum of eighty-six thousand dollars ($86,000) he appropriated, to he expended under the direction of the Library Trustees for land, building and equipment of a branch public lihrary at the North End, and that to meet said appropriation the City Treasurer he authorized to issue, from time to time, on the request of the Mayor, honds or certificates of indebtedness of the city to said amount.

The order was declared by the President referred to the Committee on Finance.

Coun. ATTRIDGE—Mr. President, I move reconsideration of the reference, hoping the same will prevail.

Coun. KENNY—Mr. President, I would like to ask the councilor from Ward 9 for what purpose he desires to move reconsideration.

Coun. ATTRIDGE.—Mr. President, I as one memher of the Council do not quite agree with the gentleman on the other side that the Committee on Finance has ahout reached its limit in the matter of loans for this year. He desires to know my reason for moving a reconsideration of the reference. One reason is this, and I think it is a very good one. The Library Trustees for two years have called the attention of the city government to the need of a branch puhlic library building in the North End of Boston and no action has heen taken up to this time by the city government to carry out the wishes of the Library Trustees. My second reason is that the Committee on Branch Lihraries was informed by the Library Trustees that they had an option on some property in the North End where it was desired to locate this building; that the offer that the trustees had was a very advantageous one and that the option would expire on the fifteenth of June. That is my second reason, a very important reason why this matter should not he referred to the Committee on Finance this afternoon hut should he acted upon at once. I stated on the floor of this Council a week ago last Monday in regard to the option which the Lihrary Trustees had. The Committee on Branch Public Libraries, of which Coun. Smith and Buckley and myself are memhers, reported the same fact, that this option would expire on the fifteenth of June, and I think it is up to the City Council of Boston to do something towards supplying the needs of the people of that great section of our city. The gentleman says he thinks that the Committee on Finance has about reached its limit in the matter of loans. If his figures are ahsolutely correct as to the financial condition of the city and as to our right to horrow, I ask upon what ground he can justify his three votes here this afternoon for an expenditure of $250,000 in three different sections of our city?

Coun. KENNY—May I interrupt the memher? He asks a question, and I want to answer him.

Coun. ATTRIDGE—I yield for an answer.

Coun. KENNY—I am asked, if my figures are correct, how I can justify my votes here this afternoon? Evidently the member from Ward 9 did not follow the reading of my figures. In my statement I suhtracted those amounts from the sum total.

Coun. ATTRIDGE—Mr. President, I have stated two reasons why reference of this order should be reconsidered, why the order should not go to the Committee on Finance. My understanding a week ago Monday was that we would have a meeting of the committee to discuss this matter of the North End Library. I think the councilor himself asked to put the matter over for a week also, in order that he might see the Mayor and find out if the Mayor would get this appropriation. I say that the City Council must do something, and do it now. I have some figures myself. Figures are always interesting things to consider. I have the figures from the Auditor's office under date of May 29, which figures are to the effect that the city had the right to borrow on that date $2,727,983, less the following items that have had one reading, and some of which to-day have had the second reading,—Municipal Building, South Boston, $120,000; Playground, Ward 5, $80,000; Playground, Ward 20, $50,000; Street Lighting Equipment, $300,000, making a total of $550,000. Then there are the items in committee, recommended by the Mayor. There is, for instance, the item of $63,000 for the Meridian Street Bridge, which item may he rejected hy the Committee on Finance. Then there is the item for the North End Park Building, etc., $5,000. Deducting these items that have had one reading and the two items in the committee, recommended hy the Mayor, which make a total of $618,000, we have a halance of $2,109,983. Then there are some prohahle loans, such as for the Separate Systems of Drainage, $696,000. The Mayor says he has hopes of having that amount reduced hy action of the Legislature this year. There are also the items for High Pressure Service, $150,000; for Chelsea North Temporary Bridge, $250,000; for the High School of Commerce, $250,000—which cannot be used this year; and for North End Library, $85,000. Including that item for the North End Lihrary we have a total of $1,431,000, which, with the reserve for a margin of safety of $500,000,—which Coun. Kenny says is a good margin of safety, with which statement I agree,— leaves a balance subject to loan of $178,983. This is considering that we appropriate the money for the Separate Systems of Drainage, for the High Pressure Service, for the Chelsea North Temporary Bridge, for the High School of Commerce, and even including this item for the North End Library. This balance of $178,983 subject to loan may be increased hy $63,000, if this Council sees fit to reject the item of $63,000 for the Meridian Street Bridge, which has been suhmitted to it hy the Mayor and which order will expire on the fourteenth of the coming month. That will leave a total of $241,983 availahle for loans, and then that might he increased by the item for High School of Commerce. Coun. Smith said to me to-day that he believed the School Committee would not ask that that money he appropriated this year. If the proposed amount were not used for the Meridian Street Bridge, that with the $500,000 reserve and the halance of $178,983 suhject to loan would leave a total amount availahle for loan of $741,983; and if the School Committee do not see fit to ask for the $250,000 for the High School of Commerce, there would be a round million dollars there. Then there is the money suhject to appropriation. Last year I served in this Council and the Mayor sent orders to the City Council of last year asking that money for our City Hospital he expended from appropriations. Mr. Mitchell to-day told me that we had the right to appropriate last year $14,668,-415.26.in our appropriation bill, and that the hill included $12,683,926, leaving a balance of $1,984,-489.26. Of that we have already devoted $800,000 to the annex to City Hall, leaving a balance that can he appropriated at the inception of the Mayor of $1,184,489.26—and this does not include, Mr. President, the $492,000 which the city received from the executors of the Shaw estate and which might be used for appropriations. I said to the City Council a week ago Monday that some action should be taken by the City Council to remedy the conditions that ought to be remedied in the North End in the matter of lihrary accommodations, that we should see to it that the children of the North End have a modern, up-to-date library building, which they need, which they demand and which the Library Trustees demand. I hope that the City Council will see fit to reconsider its reference and I trust that to-day this Council will pass this loan order and that the Lihrary Trustees may begin work at once, exercising the right which they have under the option, which expires on the fifteenth day of June. Let us give to this crowded, cosmopolitan section of our city a decent, modern, up-to-date library building.

Coun. KENNY—Mr. President, if, if, if! That is pretty good financiering! "The School Board may not want the money this year. If they do not, we will have it." "The Legislature in its wisdom may amend that act so that the city may not he called upon to raise $700,000 for the separate systems of drainage." If—it will he all right, if! As I say, Mr. President, that is mighty poor financiering. I think the gentleman ought to point out wherein my figures are wrong hefore he undertakes to criticise them. He takes the Auditor's figures of a month ago, the first of May. Of course those figures are changing all the time. That is the object of issuing monthly reports. The moneys that we have voted this month were not suhtracted on the first of May. But, as I say, let the City Council proceed and vote away the money that it has a right to borrow without any regard to the interests of the citizens. Let them do it if they want to do it. Let the gentleman take the responsihility for his vote; I will take the responsihility for mine in voting against it.

Coun. SMITH—Mr. President, this is to me a most interesting dehate. Coun. Kenny rose to a point of personal privilege and thereupon stated the condition of the finances of the city in detail,—which we were all very glad to hear. But, of course, we realize Mr. Kenny's personal view of the finances of the City of Boston, and if we wish to get a detailed and accurate report of the city's finances, of course we will do as we have always done,—go to the City Auditor. Following Mr. Kenny's statement of his view of the city's finances, we are brought face to face with an appropriation, or rather a loan, for the much needed lihrary in the North End. It is interesting to go back to Mr. Kenny's figures, which are personal, as I have said, simply to find out how Mr. Kenny accounts for his own votes,—not to criticise the city's finances, but to find out how he accounts for his own votes. According to his figures, if the city goes ahead and does the necessary things which now seem to he in sight, we will be in the hole over $800,000. Yet he has voted for loans of $250,000 to-day for three specific purposes. At the time he did so, as head of the Finance Committee, he did not enlighten the Finance Committee as to the finances of the city. I presume that is why he arose to-day to a question of personal privilege. Otherwise I cannot account for his coming into the Board at this time in this way. Mr. Kenny had not been attacked, I believe, as to the city's finances. He had nothing to vindicate. He simply arose, I suppose, to justify his vote on these three loan items for which he has voted to-day. It is hetter that we have the figures that Mr. Kenny helieves represents the city's financial condition now than not at all, hut it would have been much better to have had them at the time the Finance Committee met. It would also have heen much hetter to have had a discussion as to whether we could afford each one of those three items at that time. It is a fact that one of those three items was not considered at all up to the date of that meeting. In no way was that brought hefore this Board; in no way had it been discussed in the puhlic press or generally. It was sprung in that meeting and it was rushed through that meeting with the evident understanding of certain members there. It was not dehated on its merits in competition with other necessary local improvements.

Coun. KENNY—Mr. President, I would like to interrupt the member.

Coun. SMITH—I have no douht he would, Mr. President, but I prefer to keep on.

President COLLINS—Does the gentleman yield for a question?

Coun. SMITH—If the memher desires to ask a question. If he simply desires to interrupt me, that is another matter.

Coun. KENNY—Mr. President, I desire to ask a question.

Coun. SMITH—I will yield, gladly.

Coun. KENNY—I would like to ask the member from Ward 11 what agreement or what understanding there was hy the memhers of the Committee on Finance upon the occasion when that money was voted, to which he has reference?

Coun. SMITH—In the first place, there is an error in stating that I am the councilor from Ward 11. That has been made hefore hy the gentleman from South Boston. I am not the councilor from Ward 11.

Coun. KENNY—Mr. President, I would like to interrupt the member again. May I do so?

Coun. SMITH—Is this another question, or simply an interruption?

Coun. KENNY—I will have to say that it is a slight suggestion, not an interruption.

Coun. SMITH—As one of the younger members of the Board I am glad of any suggestions that Coun. Kenny may offer.

Coun. KENNY—I would like to make one suggestion, and that is that the gentleman is not conforming to parliamentary usage and practice here. He is naming members here by name, which is improper. He has referred to me by name four or five times since he began the meeting, and then he objects because I refer to him as the gentleman from Ward 11. In doing so I am acting in accordance with parliamentary custom and usage.

Coun. SMITH—Mr. President, to get back to the subject, one of those items which came before the Finance Committee—of which all the members of the Council are members—was $50,000 for a playground in Ward 20. That had not been discussed in competition with other necessary local improvements in the city previous to that meeting, and at that meeting it was only discussed upon Mr. Attridge and myself speaking of the necessary improvement in the North End, the library, and even then it was not considered at length. It strikes me that that matter should have been considered in relation to the other necessary improvements.

President COLLINS—The Chair would advise the councilor that the question before the Council is on reconsideration, moved by Coun. Attridge, of reference to committee of the order contemplating the expenditure of $85,000 for a branch library in the North End. No other matter is before the Council.

Coun. SMITH—And it is on that point that I am speaking, Mr. President. At that time it was generally believed by the members of the committee that the North End Library would be taken up next, that it was a necessary improvement and would be dealt with in the near future. At the meeting two weeks ago Monday I stated that my only reason for voting against the playground was because I believed the North End Library to be a more necessary improvement. At the last meeting of the Council we were told that if we would put off discussion of this subject a meeting of the Finance Committe would be called Monday, and that in the meantime Coun. Kenny would take the matter up with the Mayor.

Coun. KENNY—Mr. President, I rise to a point of order. My point of order is that the gentleman from Ward 11 has no right to name a member during the debate.

President COLLINS—The point of order is well taken. The name of the member himself may not be used without reference to his official position. It should be "Coun. Kenny," not "Mr. Kenny." The gentleman is correct in his point of order.

Coun. SMITH—Am I not correct in saying "Coun. Kenny," Mr. President?

President COLLINS—I understand so.

Coun. SMITH—That is what I thought, Mr. President. That meeting of the Finance Committee has not been called, and we are told now that it will not be called for to-day. It will be interesting in the explanation of the votes I have already referred to if Coun. Kenny will at the same time explain why the Finance Committee is not called for to-day. It strikes me that there is an attempt to block the wishes of the majority of this Council in the matter of having a loan made for the library at the North End. That loan has been very near to my heart. I have perhaps desired it above any other loan. I said so immediately after election. I have said so in this Board and in committee meetings. I have said so to other members of this Council repeatedly. I wish to see that loan made as soon as possible, because of the reason that Coun. Attridge has stated—that the option soon expires, and that it is a very necessary improvement.

Coun. KENNY—Mr. President, I regret as much as anybody in this Board that the member who has just taken his seat should stand here and wilfully express himself to the effect that there was some understanding between the members of the Council or the members of the Committee on Finance, with respect to the appropriation for the Ward 20 Playground. That is absolutely without foundation and is absolutely incorrect. There is not the slightest justification for it. That matter was considered a year ago. The members of the Council, with perhaps one or two exceptions, a year ago visited Mount Ida, and it was the unanimous desire of the members that, just as soon as the money could be had, it be appropriated for the playground in Ward 20. It was a self-evident proposition, as I think I said at the time. Every member here understood it; every member here looked forward to the time when we might have the money to borrow for that playground, feeling that it should be borrowed for that purpose. It was very fully and fairly considered. There has not been a subject before this Council during the year that has had better, deeper or more careful consideration than that very Ward 20 proposition. And now for the gentleman to stand up here in the presence of this Council and insinuate that there was some understanding upon it between the members is, to my mind, worthy of the severest condemnation. The gentleman says, "We are now told that there is to be no meeting of the Committee on Finance to-day." Who told him so? I did suggest to him a while ago, I think, in answer to his question, that I would call a meeting next Monday at two o'clock, which I intend to do,—not because of this matter, however, so don't be mislead in regard to that. I do so because I desire to consider the item that is pending before the Council in respect to high pressure service for the Water Department. That is why I was going to call the meeting for next Monday. Of course at that meeting other matters may be considered. But I hope the Council is not going to stultify itself by voting away the city's money without knowing what the financial conditions of the city is and what the city needs. If the Council is not willing to take my figures it can verify them. But you cannot say that they are not correct without at least attempting to verify them.

Coun. SMITH—Mr. President, it would be interesting, as I said a moment ago, to understand how Coun. Kenny voted $50,000 for the Ward 20 Playground when he shows by his own figures that if we grant the loans asked and needed this year we will be $800,000 in the hole. It would also be interesting to know why a committee meeting that he promised to call last Monday cannot be called before next Monday, when, as the majority of the Council believe, there is a pressing improvement to be passed upon by that committee.

Coun. KENNY—Mr. President, I am going to ask the member a question or two, now. Has he had any understanding with any other member here to-day that he would come in here and force this thing through? He refuses to answer, I take it. Now, I say that he has. I say that he is acting here in violation of the rules of the City Council. I say he is acting as he is here to-day in consequence of an understanding with other members of the Board to vote for this against the rules of the Council,—to take this away from the Committee on Finance and to push it through here. And he is the gentleman who is calling for information. Let him confine himself a little more closely to the facts. Let him examine my statement and he will see how I justify my votes. Let him read what I said two weeks ago, when he attacks my votes for certain orders. I said that I thought the time had arrived when we could use some money for these self-evident propositions. Have I said that we were to spend money for these things contemplated? I have simply stated that there were certain things in contemplation, and nothing more. But I ask the gentleman to take my figures, consider them justly and fairly, and then I shall ask him whether I have taken a fair stand in this matter or not. I ask nothing for myself in the matter.

Coun. CURLEY—Mr. President, I desire to say that I propose to vote for this order, and that I have not had any understanding with anybody relative to my position in the matter. If the gentleman from South Boston (Coun. Kenny) and the other members, with the exception of the member from Charlestown and myself, have not had an understanding on this financial proposition, I believe it is the first one upon which there has not been such an understanding in this Council. The lamentable feature of the whole thing with relation to loans is that the members do not arrive at conclusions because of their own ideas or of their own volition. Usually their minds are made up for them by another body—and I believe a good indication of that was furnished at our last meeting, when the Council authorized a loan of $300,000 for the purchase of automatic lighting equipment for the City of Boston. Can it be said that that was more necessary than other public improvements? It is a matter that should have been considered seri-

ously, not only by the Finance Commission but by the members of the City Council, but apparently it was only seriously considered by one hranch of the city government—the Finance Commission. The City Council simply voted. With relation to that proposition I do know this, that I have made some inquiries and have discovered that the payrolls of the United Gas Company—which controls the Welsbach, controls the Rising Sun and all subsidiary companies in the various cities and towns of the country—amounts to something like $8,000,000 annually; and if some automatic device could he invented that would make possible the replacing of hand lighting hy automatic devices it would mean a saving to that company alone of over $4,000,000 a year. They would certainly be the first to adopt a practical automatic device; and yet the City Council, without any apparent consideration of the subject, plunged into the proposition which meant the spending of $300,000 of the city's money for a questionahle lighting device. And still, although this eompany, if there is such a practical device, would he ahle in ten years to save hy it $40,000,000 or more, has not considered the automatic devices sufficiently advanced to warrant their adoption hy them. With relation to this loan, I am very much pleased to have the reform memhers of this hody threshing out their honest differences in this Chamher. This is the proper place to air your honest differences. It is more edifying to the puhlic, gives them a hetter idea of the propositions hefore the body, than can be obtained behind the closed doors of the City Club or any other institution. I want to say that I am prepared to vote for this proposition. I think it is a very necessary loan. I think it is not only for the henefit of the North End, hut for the benefit of the entire city as well: and I sincerely trust that at all future meetings, when propositions of this character are up for consideration, the memhers will stand up and state their views as fairly and completely as they have done to-day, without any fear as to whose feelings are injured.

Coun. KENNY—Mr. President, I don't suppose there has ever heen a loan contemplated, thought of, or suggested, that my friend who has just taken his seat didn't vote for or wouldn't have voted for since he has heen a member of the body. I ask him this question, and I will let him answer it himself: Has he ever voted against any proposition, since he has been a memher of the Council, to horrow money or spend money?

Coun. CURLEY—I cannot state positively now whether I have or have not, but I want to state to the gentleman that I helieve the welfare of any city depends on the amount of money that the city expends for such necessary improvements as will tend to the advancement and development of the city, the enlightenment, peace, comfort and happiness of the people who live in the city.

Coun. KENNY—Mr. President, in order that I may not he misrepresented or misquoted in connection with this matter, I want to say that I helieve the North End Lihrary proposition is a very fair one. It is true that there is a hranch library in the West End and that it would not be a very great effort for people living in the North End to pass over to the West End and get their books this year. But, be that as it may, I am not against the construction of a library at the North End. I am willing, as a guarantee of my good faith and to show my position here, to give them a lihrary out of taxes for this year. There is a large sum of money unappropriated, which the Mayor may come in hy and hy, along the latter part of July, and ask us to appropriate in order to keep the taxes possihly at a certain point. Why cannot the money which is so much needed, as set forth here to-day, come out of this year's taxes. I will vote for it. But I will not vote to thrust the city into debt any more than I can possibly avoid or help. I would like to say to my friend from Ward 17 (Coun. Curley), who sits here in a dual capacity, that Boston to-day has a deht which is third in the United States, and if we include the metropolitan deht of $35,000,000 or $36,000,000 to-day, Boston has the largest deht of any city in the country per capita. That is why I am trying to hold up this proposition to horrow money. Every member of this Council knows that there has not been a meeting here the past year when I could not have come in with a proposition for a municipal building in South Boston and got it through. They have all said so to me, or practically all. I did not do it hecause I did not see my way clear to do it. To-day the City of Boston is mortgaged for about 77 per cent of its assets. I am not taking this position for the purposes of a record that will have any bearing upon my political position in the immediate present or in the future. I feel, and I think that the interests of the City of Boston demand, that we should stop borrowing money. There are certain propositions for which the interests of every man, woman and child, everybody in Boston, demand that we borrow money, requirements which we must meet and for which we must horrow money.

Coun. CURLEY—Mr. President, will the gentleman yield for a question?

Coun. KENNY—Yes.

Coun. CURLEY—I would ask the gentleman if he does not feel that a lihrary, which is a permanent public improvement, should come out of a loan rather than out of taxes.

Coun. KENNY—Not necessarily.

Coun. CURLEY—One other question. If there were no lihrary huilding in the city and it was the desire of the inhabitants of the city that a lihrary huilding, costing in the vicinity, say, of one million dollars or two million dollars, should he constructed for the henefit of the people of the city, do you believe the money for a structure of that character should come out of the tax levy or he raised in the form of a loan.

Coun. KENNY—Under certain conditions, assuming that the city's finances are in a proper state, I would say that it would not be an unreasonahle proposition to borrow money.

Coun. CURLEY—Mr. President, I have no desire to steal the floor from Coun. Kenny, hut I would like a little more direct answer to my original question. Personally, I consider that an appropriation of $85,000 for a lihrary in the North End can he considered in no sense other than as a permanent puhlic improvement, that it is a matter of such a character that the expense should not be borne hy one generation, as the huilding will in all probahility serve many generations. For that reason I question the wisdom of expending the money that might come out of the tax levy for a permanent puhlic improvement of that character,— and I feel that Coun. Kenny agrees with me, if he will say so.

Coun. KENNY— Mr. President, as I have already stated, I am willing to vote this year to pay for the construction of this huilding, the North End Lihrary, out of taxes. We have quite a surplus, money which might he used for matters of that kind especially. We have no other sources from which to get the money. Next year, of course, the city will be entitled to borrow money. We have these general improvements to meet—hridges, the City Hospital, the possibility of something being required on Long Island in connection with the almshouse. All these general propositions have got to he met in one form or another, sooner or later, and I think it is the duty of the government to first provide money for those things that affect the entire people. Much as I should like to see a lihrary constructed in the North End, I still think it is secondary in comparison with propositions that affect the entire citizenship of Boston—such as the matter of proper provisions for the operation of the Fire Department, the construction of hridges and hospitals. It is not my desire to throw any cold water on this proposition at all. As I say, I am willing to take money out of taxes for it. But I am not willing to borrow any more money this year.

Coun. SMITH—Mr. President, it is interesting to note that Coun. Kenny voted for $120,000 for a municipal building, South Boston, $80,000 for a playground for Ward 5 and $50,000 for a playground for Ward 20, three separate local improvements, hefore he was even willing to consider in the Finance Committee the high pressure system for fire service, the $300,000 necessary for the hospital or other general improvements, and it is also interesting to note that he has asked questions——

Coun. KENNY—Mr. President, I desire to ask the memher on what he hases his statement that I voted for these items hefore I considered the other items?

Coun. SMITH—Mr. President, I quite agree with Coun. Curley that it is a very good idea for us to discuss these things in open Board. In answering Coun. Kenny I will have to ask him as to what happened in the Finance Committee, and I think after this any discussion I have to enter into on different questions will be made in the open Board. I think I have had occasion five or six times this year to refer to what has heen said in committee. Of course, his memory of those discussions may not be the same as mine, and we have no stenographic reports of those meetings. But

the fact is that at that meeting of the Finance Committee, the first meeting of the year, there was no discussion of these general public improvements for which Coun. Kenny has so eloquently talked this afternoon. It therefore would be interesting to know why he voted for these three separate local improvements, and it would be also interesting to know why he voted for them if we are to be $800,000 in the hole, as his figures show.

Coun. KENNY—Mr. President, I would like to call the attention of the memher to the fact that he is repeating himself.

Coun. SMITH—Mr. President, unless the Chair allows it I will not yield to simple interruptions but only to questions.

President COLLINS—The Chair rules that that is something entirely in the discretion of the gentleman who has the floor.

Coun. SMITH—Thank you, Mr. President. Of course, Coun. Kenny has a little befogged the issue by asking other questions without having first answered these two most pertinent questions. He has asked one question of me to which I will very gladly reply. He has asked whether there was an understanding before we came into our meeting in regard to this matter. We might as well have murder out here in open Board. The reason why we have had to do this to-day is because there has not heen a meeting of the Finance Committee up to two weeks ago Monday, in spite of the fact that there is more husiness hefore that committee than any other committee of this body. It would have heen very helpful to the members of this body if we could have had a meeting earlier in the year and discussed the various needed local improvements, in order to compare their merit and value. But we have not had the opportunity. And why? Because it lies in the hands of Coun. Kenny to call a meeting. We have waited patiently up to two weeks ago Monday, and then there was a meeting where three loans were railroaded through in very short order without any general consideration of necessary local improvements. It is for that reason that memhers of this Board who are interested in the North End Library are forced to bring the matter up in this somewhat disagreeable way. If necessary we will be glad to go into further details, but perhaps this will suffice; and it would now he interesting to hear the answer to the two questions which have already heen repeated.

Coun. KENNY—Mr. President, I have nothing further to say to the gentleman from Ward 11.

Coun. HALE—Mr. President, I would like to say just one word upon this matter. In regard to these figures that have heen submitted to us by Coun. Kenny as, I don't know exactly what,—carrying his figures down to the point where he deducted the reserve $500,000, he gets a balance of $259,983. He then gives certain items which he says we will probably pass. They are among that class of loans which the councilor classes as "self evident,"—in other words, loans that appeal to him. For instance, garhage plant, $300,000; City Hospital, $300,000; almshouse, $250,000. I wonder whether the councilor is aware of the fact that from that $250,000 should he deducted, in order to make these figures accurate, the amount which the city is getting for the old hospital, $75,000, and possihly some more from Boston Elevated damages? That is simply one instance of inaccuracy in these figures. It happens to be almost the exact amount which we now hope to get passed to-day for this other proposition, which I think is self evident and a necessity, as do other members of the Council,—the item for the North End lihrary. I wish also to call the attention of the Council to another fact which has heen omitted from the discussion, and that is this: As you all know, we have on hand a certain sum which has heen called the Shaw money, which amounts in round figures to $500,000, which is in addition to the regular money raised by the tax levy. That money is on hand as cash. What hetter reserve can be kept by the city than actual, hard, cold cash in case of emergencies? I consider that it would be perfectly good finance to keep that as a reserve in place of the $500,000 which has heen deducted hy Coun. Kenny, and I am perfectly willing to take my stand anywhere and say that I eonsider cash as good security or as good a reserve fund as a horrowing capacity for the same amount. I don't helieve there is any memher of the Council who will care to deny that. Therefore, hy scratching off reserve $500,000 and substituting the Shaw money for that, we get a balance on hand of $759,000 from which to take these various items mentioned by Coun. Kenny—garbage plant, City Hospital, almshouse, Cove Street Bridge, Consumptives' Hospital, North End library, and Ward 7 huilding. It simply comes down to the question, which two or three of these items the Council considers most important, and I personally, and I think most of the memhers of the Council, consider this item for the North End library the most important of all the various items,—with the possihle exception of the garhage plant,—heginning with the City Hospital and going down through the Ward 7 municipal building. Therefore I am in favor of taking from this fund of $750,000 the amount of $85,000 for the North End lihrary, and I will so vote to-day.

Coun. ATTRIDGE'S motion to reconsider the reference to committee was declared lost. Coun. Attridge douhted the vote and asked for the yeas and nays. Reconsideration of the reference prevailed, yeas 6, nays 3:

Yeas—Coun. Attridge, Buckley, Curley, Hale, McDonald, Smith—6.

Nays—Coun. Ballantyne, Collins, Kenney—3.

President COLLINS.—The Chair rules that under Rule 16 the order lies over for one week.

Coun. ATTRIDGE—Mr. President, I move that the rule he suspended in order that this order may go upon its passage to-day.

The rule was declared suspended. Coun. KENNY douhted the vote and asked for the yeas and nays.

The rule was suspended, yeas 6, nays 3:

Yeas—Coun. Attridge, Buckley, Curley, Hale, McDonald, Smith—6.

Nays—Coun. Ballantyne, Collins, Kenny—3.

The question came on the passage of the order.

Coun. BALLANTYNE in the chair.

Coun. COLLINS—Mr. President, at this time I take the floor for the first time this year, for one reason in particular, and I take it because the matter concerning which I am about to speak has not been touched on hy any memher of the Council thus far. It relates to what appeared in all of the Boston papers yesterday concerning what the chief executive of the city would do if the Council did not do thus and so. The memhers of this Council have been invited to luncheon by the chief executive of this city on two occasions. The first time I was one of those who were not present, hecause I could not he. The second time I was present with four others—with you, Mr. President (Coun. Ballantyne), and Coun. Attridge, Curley and Buckley. At that time we discussed with the Mayor certain matters pertaining to the finances of the city. I wish to say at this time that any time when the Mayor of Boston wants to discuss with me questions relating to the finances of the city, I am willing to meet him privately or publicly. I helieve that is the point of view of most, if not all, of the members of this Council, hecause I helieve he has a right to expect, owing to the office he holds, that the legislative memhers of the government shall act in cooperation with him. Our cooperating with the executive of the city is like the directors of a corporation cooperating with the president of the corporation. We are like the directors of a corporation and the Mayor is like the president. In order that all may achieve results and work harmoniously for the best interests of the people of Boston, it is essential that all lay aside their personal differences and work hand in hand, as far as possihle, with the gentleman who holds the position of chief executive of this city. When I helieve he is right, I, for one, shall be with him; if I helieve he is wrong, I shall he against him and will tell him so privately or puhlicly. Last year and at the heginning of this year we had a numher of town meetings. I, with Coun. Smith and occasionally with other members, attended those town meetings, and on more than one occasion—I remember particularly in the Charlestown district—I had occasion to try and defend to the hest of my ahility the Council hecause of its attitude last year in leaving the City of Boston with a million dollars to its credit,—in other words, having at the end of the year a million dollars on hand which it could have spent. I believed the action of the Council was justified at that time. As president of this Council I appointed the chairman of the Committee on Finance. I helieve he has done his work conscientiously and honestly. I yet have confidence in the gentleman who has been appointed chairman of that committee. Accordingly, when this order was offered to-day I referred it to the Committee on Finance. I am opposed, gentlemen, to this hasty legislation which is before us, for this reason, it is creating a dangerous precedent, and that is another reason why I have taken the floor. In all legislative assemblies, when orders are introduced pertaining

particularly to the expenditure of a great deal of money, the rule is to refer them to a committee. In this particular case the proper committee was the Committee on Finance. The Council in its wisdom saw fit to reconsider reference to the Committee on Finance of this order. But there is a stronger reason why I have taken the floor, and it is this, that in all the Boston papers day before yesterday it appeared that unless the Council passed certain items which the chief executive of this city wanted, that executive would veto the three orders that the Council has already acted upon to-day. In the papers yesterday—the *Post*, *Herald*, *Journal*, in fact I believe all the morning papers—that rumor was emphasized. Before the people of Boston to-day we are the legislative branch of this government. We are responsible to and hold our commissions from the people as well as does the chief executive of this city, and I believe it is high time for us to stand in our shoes and show our sand by saying that, although the order which is before the Council at this time is a good one, it is unwise and improper for us to be driven into the position of passing it at this juncture without further consideration. Accordingly, I shall not vote in favor of the passage of this order to-day, and I shall not vote against it, because I consider that it is a good proposition—but not at this time.

Coun. SMITH—Mr. President, I realize that there is a great deal of weight in what the president of this body has just said, and yet it seems to me that we are not here to act because of certain newspaper criticisms. We are here to act on the merits of questions that come before us. This question has been up before the city government for two years. It has been up all this year in public debate. I have personally referred to it in the town meetings as a thing that I have very much desired. I spoke on this library from the floor of this Council two weeks ago. I was not in the city and did not read the newspaper criticisms which the president has referred to. I was not invited to the meeting on Monday, contrary to statements which I understand have appeared in the papers, and therefore it cannot be said that I am voting on this because of any reference to the act of the chief executive of this city. It is simply because of the merits of the question. Furthermore, it cannot be said that I am voting on this because of what he has said, because I have to-day voted against one of the three measures which he has threatened to veto, and which it would please me greatly if he did veto. So it seems to me it must be clear that my vote is not influenced by what the President of this Board has brought forward as so weighty an argument.

Coun. KENNY—Mr. President, I would ask the member from Ward 9 (Coun. Attridge) if it is a fact that he has been in conference with the Mayor and that his action to-day arises out of an understanding that he has had with the Mayor?

Coun. ATTRIDGE—Mr. President, I will answer the question. My action to-day does not arise out of any conference I had with the Mayor of Boston. I did see the Mayor of Boston, as I told you, Councilor, that I would see him, and I expected that you would see him, in regard to the North End Branch library. You promised me that you would go yourself personally and alone and see him, and I was willing to accompany you, and told you so. I went to the Mayor's office, but my action to-day is not due to any conference I had with the Mayor of Boston. I don't wear the Mayor's collar around my neck. I stand here elected by the people of Boston. I have respect and honor for the Mayor of Boston because of his official position, and I desired to know what his views were upon this public question. He is the Mayor of the city, and when he invited me, as he invited other members of the City Council, to the two conferences I felt it a duty on my part, as a member of the city government, to be present at the conferences and to talk over the needs of the city—and, yes, the finances of the city—with him. But I say now that anything he has said to me has not had anything to do with my action to-day. I said on the floor of this Chamber, two weeks ago last Monday I believe it was, when these items of a municipal building in South Boston and playgrounds for Wards 5 and 20 were first presented from the Committee on Finance and called to the attention of the Council, that I considered that there was need for immediate action in regard to the North End library building. Anything that the Mayor of Boston may have said to me about vetoing other orders which are before this body, and anything he might have said about the conference at Young's Hotel with those five members whom the President has named as present, had nothing whatever to do with my action to-day. I am voting on this proposition because I believe there is some merit in it and because I believe action is demanded to-day—not because of any newspaper stories about what the Mayor would do or would not do. I take the position I do upon this matter to-day because of the merits of the proposition and because I feel that the City Council should act now, in view of the option which the library trustees have upon this property. I respect the Mayor of the city as long as he is Mayor, and I will confer with him upon matters of public import at any time when I feel it is proper that I should do so. We should all do that. We should all confer with him as members of the City Council. If he is right, it is proper that we should be with him; if he is wrong, we have a right to be against him, as the President of the Council has said. But my action to-day does not in the least depend upon anything he may have said to me personally or to the five members at Young's Hotel, and it does not depend upon any newspaper stories that were printed yesterday. I am in favor of this branch public library building in the North End, because I believe it is a great public necessity and that we should act at once.

President COLLINS in the chair.

Coun. KENNY—Mr. President, I did say to the member from Ward 9 (Coun. Attridge) that I intended calling on the Mayor, and he knew why I was going to call. He should have gone on and finished his remarks in that respect. He knew that I was going to see the Mayor and ask him to take this matter out of taxes. I told him so and I intended telling the Mayor so, until he assumed the prerogative of acting as chairman of the Committee on Finance. He did that, and I now think it is better to let him go on himself. He is doing very well.

Coun. BALLANTYNE—Mr. President, I will say that I am not prepared to vote on this order to-day. I consider the library in the North End a very necessary improvement, and I had hoped when the time came to make provisions for it to be ready to vote for it. But under the present condition of the finances of the city I cannot vote to-day to have this amount come out of the money available by loan. I might be able to see my way clear in the course of a week or two. If this matter had been referred to the Committee on Finance, where we could have had a little time to consider it, I should have been very glad to find a way to get the money out of that committee. But I am in favor, as Coun. Kenny of South Boston has said, of taking this amount out of taxes this year. I so stated to the members at that conference referred to at Young's Hotel, Monday last. I stated to the Mayor that if he would present to this body to-day an appropriation order of $85,000 for a library at the North End I should be very glad to vote for it. I shall be very glad to vote for it to-day, next Monday or any day that order comes in. There are other reasons why I am not prepared to vote for this order to-day. I cannot vote against it, because I think it is a very meritorious matter. For that reason I shall refuse to vote either for or against it.

Coun. HALE—Mr. President, I listened to your remarks about the newspaper articles with a great deal of attention. I think there was a good deal of force in them. I think unquestionably if we pass this order to-day it may add a little bit to the glory of the Mayor. I have no doubt some of our newspaper friends here may have cartoons in the papers to-morrow showing the Mayor snapping a whip and us falling into line. But it seems to me in a matter like this we ought to throw aside our personal feelings, our ideas of personal prestige, making that sacrifice rather than putting off the righteous needs and demands of the people of the North End. For that reason I, for one, am willing to run a chance of having a little less political prestige than I had before, and voting for this, even if the Mayor gains a little glory from it. My brother Ballantyne has stated his position in regard to taking this amount from taxes. I would like to state what my views are, and I cannot state them any better than Coun. Curley put them a while ago. I absolutely agree with his statement that money should be borrowed for permanent improvements and that current improvements should be taken care of out of the tax levy. I cannot emphasize strongly enough the fact that it is just as bad finance to pay out of the tax levy money which should come from loan as to borrow money for current expenses. We have got

to decide here how long an improvement is going to last, on the question of whether it is a permanent improvement. If it is a permanent improvement, if we take it out of this year's tax levy we are doing a serious injustice to the taxpayers of this year. If, on the other hand, we horrow money for a current expense, we are causing serious injustice to the taxpayers of years to come. I want to enter right here and now my vigorous protest against spending raised hy tax levy for permanent improvements, for which the money should be horrowed.

Coun. BALLANTYNE—Mr. President, I heartily agree with Coun. Hale as to horrowing money for maintenance or for current expenses. I believe that in almost every case a permanent improvement ought to be provided for hy loan. But there are times when the city cannot afford to have those permanent improvements provided for in that way, and if the condition of the city will permit of having those taken from taxes, and still keep the tax rate at a reasonahle amount, I helieve the time has come when we should do it. I want to call Coun. Hale's attention to a little loan order we passed last year. He objects to making loans for current expenses. We had a building destroyed by fire last year, and I think almost every member of this Council agreed that a building destroyed by fire, where the city hecame its own insurer, should he restored out of the tax levy. That huilding was burned after the tax levy was made up last year, and for that reason we could not take the necessary amount out of appropriation. I, although I thought differently, agreed with other memhers of the Council last year in regard to a loan for that improvement, which ought to have come out of taxes. So I think this thing ought to work both ways. The time sometimes comes when the city's finances will not allow of money heing raised for a thing by a loan, and where we can afford to take the amount out of the taxes and still keep the tax rate at a reasonahle figure.

Coun. CURLEY—Mr. President, if ten million dollars in city buildings should go up in smoke some night, do you believe the money to replace those buildings should come out of the tax levy?

Coun. BALLANTYNE—Not a great while ago a man, not worth ten million dollars, owned a house and its contents. He was foolish enough to carry no insurance, and when the house was hurned up he went out of husiness. So long as the City of Boston continues to be foolish enough not to make an appropriation for contingencies of that kind, I say that the citizens of Boston living at the time ought to hear the burden.

Coun. CURLEY—Mr. President, that is an answer worthy of a Solomon. I was as wise before I asked the question as after I have received the answer. I wish to say that I was present at the dinner at Young's Hotel. I feel on the question of finances that Coun. Kenny has given us an honest expression of his feelings in the matter. He has honestly expressed his own views. While I do not agree with him,—and prohahly never will,—I helieve what he says is an honest expression of his own views and feelings in this matter and other matters relating to finance. But I want to say, so far as the Mayor swinging a club over the Council is concerned,—and I believe the Chair will recall it,—that that proposition was called to the attention of the Mayor, and the Mayor said he had no such intention. It was simply his desire to hring the matter forcibly to the attention of the members of the Council. He did state, however, that he helieved the Mayor of the city was entitled to at least receive a declination of the members of the Council who could not attend the meeting called for such a purpose by himself, that in the event of their inahility to he present he should be notified of that fact. I helieve, personally, that he was absolutely right in that, and I helieve the Chair and other memhers of the City Council agree with him. A man in the position of Mayor of this city is entitled to that consideration at the hands of the men associated with him in the conduct of the government. So far as the newspaper stories are concerned, I don't know whether he is responsible for them or not, but even if he were it would not affect my attitude on this proposition, hecause I helieve it is a thoroughly meritorious one,—and I believe we have the votes.

The order was given its first reading and passage, yeas 6, nay 1.

Yeas—Coun. Attridge, Buckley, Curley, Hale, McDonald, Smith—6. Nay—Coun. Kenny—1.

MUNICIPAL BUILDING, WARD 7.

Coun. ATTRIDGE offered an order—That the sum of seventy-five thousand dollars he appropriated, to he expended under the direction of the Superintendent of Public Buildings, for land, huilding and equipment for a municipal huilding in Ward 7, and that to meet said appropriation the City Treasurer he authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

MONEY FOR NORTH END LIBRARY.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1911.

To the City Council:

I have just heen in communication with Mr. Benton, president of the Lihrary Trustees, who informs me that the option held by the Lihrary Trustees on the property now occupied hy the Church of St. John the Baptist, on North Bennet street, expires June 15, 1911. The trustees have made an exhaustive study of the conditions existing in the North End section with regard to lihrary facilities and they have embodied their findings in a communication which was transmitted hy me to your honorable body under date of April 1, 1911.

This, in my judgment, is one of the most important matters confronting the city government and I would earnestly recommend the immediate appropriation of the sum of eighty-five thousand dollars ($85,000) from the revenue received from the estate of the late Quincy A. Shaw, as suggested hy the Library Trustees.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That the sum of eighty-five thousand dollars ($85,000) he appropriated from the revenue received from the estate of the late Quincy A. Shaw, to be expended under the direction of the Library Trustees, for the purchase of land and the erection of a hranch lihrary on North Bennet street.

Referred to the Committee on Branch Libraries.

SALARY OF PROBATION OFFICER, ROXBURY.

Coun. CURLEY, for the Committee on County Accounts, submitted a report on communication from Justice Williams of the Municipal Court of the Roxbury District of the City of Boston (referred April 24) relative to salary of probation officer—recommending the passage of the following:

Ordered, That the salary of the male assistant prohation officer of the Municipal Court of the Roxhury District, determined by the justice of said court, at the rate of $1,800 per annum, to begin April 20, 1911, be and the same is herehy approved, the amount so paid to be charged to the appropriation for the County of Suffolk, Municipal Court of the Roxbury District of the City of Boston.

Report accepted; order passed.

FIRE PROTECTION, PARKER HILL.

Coun. ATTRIDGE offered an order—That his Honor the Mayor he requested to inform the City Council what progress has heen made toward providing suitable fire protection for the Parker Hill section.

Passed.

AUCTION PRICE, CHARLESTOWN CITY HALL.

Coun. ATTRIDGE offered an order—That the city real estate expert be requested, through his Honor the Mayor, to inform the Couneil what price, in his opinion, the old Charlestown City Hall huilding would hring if sold at puhlic auction.

Coun. BUCKLEY—Mr. President, I think this order comes in here to-day in rather poor taste. With $30,000 appropriated for a lihrary in Charlestown, and after the declaration we had at Young's

Hotel the other day, where the Mayor agreed to recommend any reasonable amount to complete the library building for Charlestown, it seems to me that this matter might very well have laid over, or else that one of the members from the Charlestown district could have introduced it. They have had this $30,000 for several years in Charlestown. While I voted for the North End Library, still the library trustees have not made one step to bring the much needed library to that section of the city, although they have had a good nucleus to start with. As soon as they begin their operations on the new library building in that section of the city the courthouse and the station house in Charlestown can be amply provided for in the present building, which is better constructed than any building they are putting up in these days. There is much of interest in that building to the people of Charlestown, and I don't know that we want to sell it. It was owned by Charlestown when it was a city. It was the old City Hall over there. It is a valuable piece of property, and the best piece of property that the City of Boston could own for certain municipal purposes, and why the city should contemplate or should think of selling it is more than I can understand. It is the ideal spot for a courthouse and station house. I hope the order will not pass. It seems to me, in any event, that it should have been offered by a Charlestown member.

The order was referred to the Executive Committee.

INVITATION FOR CITY PLANNING CONFERENCE.

Coun. HALE called up No. 6, special assignment, viz.:

6. Ordered, That his Honor the Mayor be requested, in the name and behalf of the City of Boston, to extend an invitation for the holding of the City Planning Conference for the year 1912 in the City of Boston.

The question came on the passage of the order.

Coun. KENNY—Mr. President, in accordance with my suggestion at the last meeting I undertook to inquire just what the financial end of this might mean, and with that in view I addressed a letter to the city of Philadelphia. I have the reply from the mayor's office, saying that my communication has been referred to one of the departments and that I will hear in due course of time. The further reply has not yet reached me. But I have heard—not officially, it is merely the opinion of one of the recent visitors there—that the expenses of the city of Philadelphia in connection with the holding of that City Planning Convention must be in the neighborhood of $25,000 or $30,000. The matter of the convention itself, as to where it shall be held, is still in the hands of the committee and is being considered. I do not feel like voting for this order at present. I did all I could to inform myself as to what the cost of the convention to the City of Boston is likely to be, and at the present time I am not prepared to vote upon the matter. I hope it will lie over for another week.

Coun. HALE—Can you tell me how far the committee has gone along, and when they will probably decide on the city?

Coun. KENNY—I cannot answer that question.

Coun. HALE—I shall be glad to have the matter assigned for a week, if the councilor would like that assignment.

Coun. SMITH—Mr. President, it may be interesting to know that this exhibit is still going on, in spite of rumors circulated to the contrary last week. It is not concluded until the 15th of June. So possibly one week may not be too long a time to put it over. It will be impossible to tell what the cost will be until it is concluded. That is possibly why Coun. Kenny's letter was referred and why a definite answer has been delayed.

On motion of Coun. HALE the matter was further assigned to the meeting a week from Tuesday.

SIDEWALK, GAYLORD STREET.

President COLLINS offered an order—That the Commissioner of Public Works make a sidewalk along the southerly side of Gaylord street, between Washington and Chamberlain streets, Ward 20, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 437 of the Acts of 1893.

Passed.

PAYMENT TO LORENZO D. PERKINS.

President COLLINS called up special assignment No. 5, viz.:

5. Ordered, That there be allowed and paid to Lorenzo D. Perkins the sum of five hundred dollars for expenses incurred in suit against him for act as officer at the House of Correction, Deer Island, said sum to be charged to the appropriation for County of Suffolk, Penal Institutions Department, House of Correction.

The order was passed.

RECESS TAKEN.

The Council voted, at 4.56 o'clock p. m., on motion of Coun. BALLANTYNE, to take a recess subject to the call of the President.

The members reassembled in the Council Chamber and were called to order by the President at 6.27 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Report on message of Mayor and order (referred to-day) transferring the sum of $1,200 from the appropriation for Reserve Fund to the appropriation for Mayor, Office Expenses, etc., for the purpose of entertaining the Sixty-second Regiment, St. John Fusiliers, New Brunswick—that the order ought to pass.

Report accepted: order passed, yeas 7, nay 1, Coun. Buckley voting nay.

(2) Report on message of Mayor, communications and order (referred to-day) providing for the release and conveyance of a strip of land extending from Norfolk avenue to Massachusetts avenue to the trustees of Boston College—that the order ought to pass.

Report accepted; order read once and passed, yeas 9.

(3) Report on message of Mayor, communications and order (referred to-day) authorizing the city to accept an award of $50 for damages due to the taking of certain easements and rights in the estate 33 Beacon street by the Boston Transit Commission—recommending reference of same to the Committee on Parkman Fund.

Report accepted; said reference ordered.

(4) Report on order (referred May 1) granting pension of $50 per month to E. Bradford Gay, in accordance with the provisions of chapter 209, Acts of 1911—that the order ought to pass.

Report accepted; order passed.

(5) Report on message of Mayor and communication (referred to-day) relative to the wages of scrubwomen in the Public Buildings Department—that the same be placed on file.

Report accepted.

(6) Reports on petitions (severally referred to-day) for permits for children under fifteen years of age to appear at various places of amusement—that permits be granted, viz.:

Adelina and Jennie Lewis, for children to appear at Bethesda Hall on evening of June 8.

Bernadette Masterson, for children to appear at Knights of St. Rose Hall on evening of June 1.

Walter Kee, for children to appear at Bloomfield Hall on the evening of June 6.

Alice F. Kievenaar, for children to appear at Commonwealth Hall on evening of June 26.

Harriet Brackett, for permit for children to appear at Industrial School Hall, 39 North Bennet street, on evening of June 9.

Reports accepted; permits granted on usual conditions.

(7) Report on petition from the Medical Examiners of Suffolk County (referred to-day) for a relocation of lines dividing Suffolk County into districts—recommending the passage of the following:

Ordered, That the County of Suffolk be divided into two medical districts, one lying north and the other south of the following line:

Beginning at the Brookline line at its junction with Huntington avenue; thence through Hunting-

ton avenue, Fencourt; thence through the middle of the Fens, through Boylston, Berkeley and Providence streets, Park square, Boylston and Essex streets, Atlantic avenue and Summer street to Fort Point channel; thence through Fort Point channel, Dover street, Dorchester avenue, Dorchester street, East Fourth and G streets to the water of the old harbor.

Report accepted; order passed.

(8) Reports on petitions (severally referred to-day) for sidewalks—recommending the passage of orders that the Commissioner of Public Works make sidewalks along the following named streets, in front of the hereinafter named estates, said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built under the provisions of chapter 437 of the Acts of 1893, viz.:

Brick with Granite Edgestone.

Frank Macellano, 342 Princeton street, Ward 1.

Brick.

N. J. Coben, 108–110 Alexander street, Ward 16.

Joseph F. Travers, 178–180 Winthrop street, Ward 17.

Artificial Stone with Granite Edgestone.

Thomas Douglas *et al.*, 3–11 Leyland street, Ward 16.

Hagopian Brothers, 2–8 Erie street, Ward 20.

Daniel J. Daly, 75–77 Pleasant street, Ward 20.

Mark Harris, 179–187 Millet street, Ward 20.

Josepb Harris, 258–262 Millet street and on Wheatland avenue, Ward 20.

George N. Douse, 152–154 Stanwood street, Ward 20.

Mrs. Jane Wells, 22 Newport street, Ward 20.

J. S. B. Heath, 24 Mt. Everett street, Ward 20.

Louis A. Ginsburg, 246 Seaver street, Ward 21.

Michael McPberson, 222–232 Belgrade avenue, Ward 23.

M. McPherson, 238 Belgrade avenue, Ward 23.

Patrick Lyons, 30 Torrey street, Ward 24.

W. N. Trafton, 34 Torrey street, Ward 24.

E. Alton Bisbee, 38 Torrey street, Ward 24.

Catherine Maher, 107–111 Lauriat avenue, Ward 24.

Reports severally accepted; orders passed.

(9) Report on communication from Superintendent of Markets (referred to-day) relative to closing of Faneuil Hall Market on June 17—recommending the passage of the following:

Ordered, That the Superintendent of Markets keep Faneuil Hall Market open for business until nine o'clock p. m. on Friday, June 16, and to close said market on June 17, giving permission, however, to those occupying basements and dealers in perishable produce to receive and dispose of same until nine o'clock a. m. on the 17th.

Report accepted; order passed.

TRANSFER OF LAND.

Coun. SMITH, for the Committee on Public Lands, submitted a report on order (referred May 1) that strip of tree-planted land lying on the east side of Elm Hill avenue, between Schuyler and Seaver streets, Ward 21, be transferred from the Public Works Department to the Superintendent of Public Grounds—that the order ought to pass.

The report was accepted, the order was read a second time, and the question came on its passage.

Coun. BUCKLEY—Mr. President, I am a member of the Committee on Public Lands, and this is the first I have heard of the order. The committee may have had a meeting, but I knew nothing of it. So I move that this matter be laid over to the next meeting.

Coun. SMITH—Mr. President, I spoke to Coun. Buckley about this during the intermission, in the executive meeting, and understood that he gave his consent. I regret that he did not understand just what I referred to.

Coun. BUCKLEY—Mr. President, I would like to know when Coun. Ballantyne introduced the order, and what the order was.

(The Clerk read the order, introduced May 1, 1911.)

On motion of Coun. BUCKLEY the order was laid over to the next meeting of tbe Council.

THE NEXT MEETING.

Coun. KENNY—Mr. President, I move that when the Council adjourns it be to meet on Monday, June 12.

Coun. HALE—Mr. President, if possible, I hope very much we can meet some other day, because I absolutely cannot be here at that time. If it is necessary to have the meeting then, of course I cannot expect the Council to change tbe date, but it would be a very great favor to me if the meeting could be held almost any other date than that. I have an engagement of very long standing which will prevent my being here then.

It was voted that when the Council adjourn it be to meet on Tuesday, June 13, at three o'clock p. m.

GENERAL RECONSIDERATION.

Coun. CURLEY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

ELEVATOR SERVICE, CITY HALL.

President COLLINS offered an order—That his Honor the Mayor be requested to instruct the Superintendent of Public Buildings to cause the elevators in City Hall to be run as formerly, stopping at each floor upon request, as the present system is extremely unsatisfactory to tbe elevator passengers.

Passed.

Adjourned at 6.35 o'clock p. m., on motion of Coun. CURLEY, to meet on Tuesday, June 13, at three o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, June 13, 1911.

Regular meeting of the City Council, held in the Council Chamher, City Hall, at three o'clock p. m., President COLLINS in the chair and all the mem-hers present.

The Council voted, on motion of Coun. AT-TRIDGE, to dispense with the reading of the records of the last meeting.

APPOINTMENTS BY THE MAYOR.

Suhject to confirmation hy the City Council, the Mayor suhmitted the following appointments, viz.:

(1) Charles H. Reinhart (51 Dwight street, Ward 9), a Constahle of the City of Boston for the term ending April 30, 1912.

(2) Cornelius J. Bresnahan (21 Waumheck street, Ward 21), a Constahle of the City of Boston (to serve without honds) for the term ending April 30, 1912.

(3) Charles H. Gelpke (24 Elmo street, Ward 20) and Anthony J. Tighe (78 Moore street, Ward 1), Weighers of Coal for the term ending April 30, 1912.

Laid over under the law.

REMOVAL OF CITY DEPARTMENTS.

The following was received:

City of Boston,
Office of the Mayor, June 13, 1911.

To the City Council:

I heg to recommend the passage of the accom-panying order, providing for the transfer of seven-teen thousand eight hundred and ten dollars ($17,810) from the Reserve Fund to the appro-priation for Public Buildings Department. This expenditure is rendered necessary on account of the need of removing the city departments now located in the Old Court House to temporary quarters. The accompanying letter of the Superintendent of Puhlic Buildings gives the items in detail and I indorse his suggestion that the matter should receive immediate attention from your honorahle hody, in order that there may he no delay in the progress of the work.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Office of Public Buildings Department,
June 10, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Regarding the matter of providing quarters for and moving the several departments of the city which are now located in the Old Court House huilding preparatory to erection of the new annex to City Hall, I wish to advise you that I estimate that the sum of seventeen thousand eight hundred ten dollars ($17,810) will he required for this purpose and respectfully request that the City Council provide the said sum, the same to he added to the present appropriation of this department.

The items of amount, as estimated, are as follows:

Rental of new quarters from July 1 to January 1	$9,000 00
Rental of vault for Election Depart-ment for same period	500 00
Carpenter work in altering over present counters, clothes lockers, huilding new office partitions, huilding shelv-ing for storage of all records, docu-ments, etc	4,100 00
Moving of the several departments	2,000 00
Plumhing work in new quarters for Sealer of Weights and Measures and for Survey Division	200 00
Painting of new partitions, etc	350 00
Installing electric fixtures, etc	$575 00
Installing watchman's clock system	85 00
Electric service for elevators	750 00
Miscellaneous	250 00
Total	$17,810 00

I respectfully request an early consideration of the ahove in order that there may he no delay in getting into the new quarters and that the public and others interested may he as little inconven-ienced as is possihle.

Yours respectfully,
M. J. FISH,
Superintendent of Puhlic Buildings.

—

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor he and herehy is authorized to transfer the sum of seventeen thousand eight hundred and ten dollars from the Reserve Fund to the appropriation for Puhlic Buildings Department.

Referred to the Executive Committee.

RETIREMENT OF VETERANS.

The following was received:

City of Boston,
Office of the Mayor, June 2, 1911.

To the City Council:

I heg to transmit two letters from the Commis-sioner of Puhlic Works, recommending that James Martin, a storekeeper in the meter hranch of the Water Service of the Sewer and Water Division, and Patrick Dacey, a stahleman in the same ser-vice, hoth veterans of the Civil War, and aged sixty-nine and seventy-seven years, respectively, be retired under the provisions of chapter 113 of the Acts of 1911. Under a previous ruling of the City Auditor I am constrained to draft a special order providing that these pensions he charged to the Reserve Fund, and recommend its passage hy your honorable hody.

Yours respectfully,
JOHN F. FITZGERALD, Mayor.

—

Puhlic Works Department,
City Hall, Boston, May 19, 1911.

To the Honorahle the Mayor:

I heg to call your attention to the case of James Martin, who is a veteran of the Civil War, and is a storekeeper in the meter hranch of the Water Ser-vice of the Sewer and Water Division, with wages at the rate of $3.25 per day. Hc is sixty-nine years of age and has heen in the service of the city for twenty-six years. This man has a good record in the department, hut has heen home sick for some time suffering from inflammatory rheumatism and has to he lifted from his hed. It is helieved that he may not live hut for a short time, and I would recommend that you authorize this department to retire him on half pay, to take effect March 29, 1911.

Respectfully,
L. K. ROURKE,
Commissioner of Puhlic Works.

—

City of Boston,
Puhlic Works Department,
City Hall, May 29, 1911.

To the Honorahle the Mayor:

I heg to call your attention to the case of Patrick Davey, who is a veteran of the Civil War, and is a stahleman in the Water Service of the Sewer and Water Division of this department, with wages at the rate of $2.50 per day. He is seventy-seven years of age and has been employed hy the city for twenty-two years, having a good record in the department. In accordance with chapter 113 of the Acts of 1911, I respectfully recommend that you authorize this department to retire him on half pay, to take effect May 31, 1911.

Respectfully,
L. K. ROURKE,
Commissioner of Puhlic Works.

—

Ordered, That a sum sufficient to provide pen-sions, under the authority of chapter 113 of the Acts of 1911, for James Martin and Patrick Dacey, employees in the Water Service of the Sewer and Water Division of the Department of Puhlic Works, said pensions dating from March 29, 1911,

and May 31, 1911, respectively, be and hereby is appropriated, and that said appropriation be charged to the Reserve Fund.

Referred to the Executive Committee.

CARE OF CITY MORTUARIES.

The following was received:

City of Boston,
Office of the Mayor, June 5, 1911.

To the City Council:

In accordance with the terms of chapter 252 of the Acts of 1911, which has been accepted by the Mayor and City Council, I have drafted the appended order designating the mortuary at North Grove street and the mortuary attached to the Boston City Hospital as the two mortuaries to be provided and maintained under the provisions of that chapter, and providing that the care of the portion of the city's building on North Grove street now used as a mortuary be transferred from the Board of Health to the Medical Examiner, Suffolk County, Northern District. I desire to recommend the passage of this order.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That the mortuary at North Grove street and the mortuary attached to the Boston City Hospital are hereby designated as the two mortuaries provided and maintained under the provisions of chapter 252 of the Acts of 1911, and the care, custody and control of that portion of the city's building on North Grove street now used as a morgue or mortuary be and hereby is transferred from the Board of Health to the custody and control of the Medical Examiner, Suffolk County, Northern District, and that this transfer take effect July 1, 1911.

Referred to the Executive Committee.

CARE OF CITY MORGUE.

The following was received:

City of Boston,
Office of the Mayor, May 8, 1911.

To the City Council:

In order that the Superintendent of Public Buildings may be provided with funds for the care of the portion of the city's building on North Grove street now used as a mortuary, which I recommended to be transferred to his custody from that of the Board of Health, I have drafted the accompanying order transferring the sum of twenty-five hundred dollars ($2,500) from the appropriation for the Health Department to the appropriation for Suffolk County, Medical Examinations. In a communication from the chairman of the Health Department, which is appended hereto, the estimate of expenses for the support of the North District City Morgue, for the balance of the fiscal year, beginning with the draft of July 1, is given as twenty-four hundred eighty-nine dollars and thirty cents ($2,489.30).

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Health Department,
Old Court House, Boston, May 5, 1911.

Mr. William A. Leahy,
Secretary to the Mayor,
City Hall, Boston, Mass.:

Dear Sir,— In compliance with your request we hereby transmit the following estimate of expenses for support of the North District City Morgue for the balance of the fiscal year, beginning with draft of July 1.

Salaries	$1,469 30
Repairs	150 00
Supplies	500 00
Fuel	90 00
Light and power	280 00
Total	$2,489 30

Yours very truly,
S. H. DURGIN, Chairman.

—

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of twenty-five hundred dollars ($2,500) from the appropriation for the Health Department to the appropriation for County of Suffolk, Medical Examinations.

Referred to the Executive Committee.

BRANCH LIBRARY, DORCHESTER.

The following was received:

City of Boston,
Office of the Mayor, June 3, 1911.

To the City Council:

In reply to an order passed at the meeting of May 1, 1911, requesting the Library Trustees to consider the expediency of locating a branch library and reading room in the vicinity of Savin Hill avenue and Sydney street, Dorchester, and to submit an estimate of the cost, I beg to transmit a communication from the president of the Library Trustees under date of June 1, 1911.

Respectfully
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Library, June 1, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

Sir,—To the order of the City Council, under date of May 1, 1911, requesting the Library Trustees, through your Honor, "to consider the expediency of locating a branch library and reading room in the vicinity of Savin Hill avenue and Sydney street, Dorchester, and to submit to the City Council, at their earliest convenience, an estimate of the cost of the same," the trustees of the Public Library reply as follows:

The matter was referred to the librarian for examination and report thereupon to the trustees, and the Board has considered his report and the entire subject fully.

Citizens of the vicinity have before applied to the Board for the establishment of a library station as contemplated by this order, and the application is one of a number made by citizens in different parts of the city, some of which appear to have at least equal merit with this. The trustees have examined all of these applications with care, but have not seen their way clear to recommend at present the establishment of any new stations, in view of the expense of fitting up and maintaining them, and the need of further improving the service given to the public at the reading rooms which already exist.

The expense of opening a new reading room station as proposed in the order would be from $2,500 to $3,000 for fittings and books, and the annual cost of maintenance would be approximately $2,000.

Respectfully,
The Trustees of the Public Library
of the City of Boston,
by J. H. BENTON, President.

Referred to Committee on Branch Libraries.

ANNUITY FOR MRS. COYNE.

The following was received:

City of Boston,
Office of the Mayor, June 2, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order, which accepts and renders operative chapter 475 of the Acts of 1911, a copy of which is inclosed herewith, authorizing the city to pay an annuity not exceeding three hundred dollars ($300) for a period not exceeding ten years to the widow and children of Michael J. Coyne, who died from injuries received in the performance of his duties as an employee of the Sewer Department. This case is one of peculiar hardship in that the deceased left a large family of young children who will be unable to contribute to their own support or that of their mother for many years to come. He bore an excellent reputation and it seems to be the duty of the City Council to confirm the act of the Legislature authorizing this small measure of relief to the unfortunate widow and children.

Respectfully,
JOHN F. FITZGERALD, Mayor.

(Chapter 475.)
Commonwealth of Massachusetts.
In the Year One Thousand Nine Hundred and Eleven.
An Act to Authorize the City of Boston to Pay an Annuity to the Widow and Children of Michael J. Coyne.

Be it enacted hy the Senate and House of Representatives in General Court assemhled and hy the authority of the same, as follows:

Section 1. The City of Boston may pay an annuity not exceeding three hundred dollars for a period not exceeding ten years to the widow and children of Michael J. Coyne, who died on the third day of July, in the year nineteen hundred and nine, from injuries received in the performance of his duty as an employee of the sewer department of said city; but the annuity shall cease in case the widow shall remarry within the said period. In case the widow shall die within the said period, the annuity may he paid to a guardian for the henefit of the children of the said Coyne living at the death of the widow and then under eighteen years of age; provided, however, that payments under this act shall in no event exceed a period of ten years from the passage of this act.

House of Representatives, May 18, 1911.
Passed to be enacted.
JOSEPH WALKER, Speaker.
In Senate, May 23, 1911.
Passed to be enacted.
ALLEN T. TREADWAY, President.
Approved May 26, 1911.
EUGENE N. FOSS.
Office of the Secretary,
Boston, May 29, 1911.
Witness the great seal of the Commonwealth.
[State Seal.] ALBERT P. LANGTRY,
Secretary of the Commonwealth.

—

Ordered, That under the provisions of chapter 475 of the Acts of 1911 the Commissioner of Puhlic Works he authorized to pay to the widow of Michael J. Coyne an annuity of three hundred dollars ($300) for a period of ten years, unless the widow shall remarry, in which case the annuity shall cease, or shall die within the same period, in which case the annuity may he paid to a guardian for the henefit of the children then living and under eighteen years of age; said sum to he charged to the appropriation for the Department of Puhlic Works, Sewer and Water Division.

Referred to the Executive Committee.

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RELEASE OF LAND RESTRICTIONS.

The following was received:

City of Boston,
Office of the Mayor, June 9, 1911.

To the City Council:

I heg to recommend the accompanying order authorizing the release of certain easements and restrictions upon the lots therein specified on Boylston and Providence streets. This order has heen prepared hy the attorneys representing the owners of the Providence street property and is more satisfactory in form than the order submitted hy me to your honorahle body under date of April 24. For the reasons set forth in my message accompanying the previous order I helieve that this order should he passed without delay, so that there may be no further postponement of action in the development of the Park square property.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That his Honor the Mayor be and hereby is authorized in the name and hehalf of the city to execute an instrument satisfactory to the Law Department, wherehy the city shall, so far as it may lawfully do so without affecting the legal or equitahle rights of other persons, release the conditions, easements and restrictions now remaining in force, excepting, however, rights in party walls, upon certain lots on Boylston and Providence streets, heretofore conveyed by the city by deeds recorded with Suffolk Deeds as follows:

Book 512, page 121; Book 512, page 122; Book 512, page 123; Book 512, page 124; Book 512, page 125; Book 512, page 126; Book 526, page 235; Book 520, page 108; Book 525, page 286; Book 530, page 161; Book 541, page 138; Book 547, page 218; Book 547, page 218; Book 549, page 170; Book 549, page 170; Book 555, page 234; Book 558, page 281; Book 558, page 284; Book 560, page 168; Book 569, page 91; Book 569, page 105; Book 578, page 16; Book 578, page 291; Book 579, page 73; Book 583, page 248; Book 584, page 209; Book 588, page 293; Book 590, page 272; Book 590, page 273; Book 591, page 68; Book 594, page 125; Book 596, page 132; Book 597, page 53; Book 601, page 164; Book 602, page 16; Book 604, page 150; Book 605, page 58; Book 607, page 45; Book 625, page 201; Book 647, page 36; Book 703, page 177; Book 703, page 178; Book 703, page 179; Book 703, page 180; Book 710, page 79; Book 762, page 67; Book 795, page 177; Book 1826, page 394;

Referred to the Committee on Public Lands.

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SOIL RENOVATION, BOSTON COMMON.

The following was received:

City of Boston,
Office of the Mayor, June 12, 1911.

To the City Council:

I heg to suggest that the Parkman Fund Committee investigate the present conditions on Boston Common, with a view to providing an appropriation for the continuance of the work of soil renovation which is now in progress there. While other parks should not be neglected the Common has a peculiar claim upon those who are entrusted with the expenditure of this fund, on account of the attachment which Mr. Parkman felt toward it and exhihited hy his long residence in the vicinity of that historic spot. I helieve that the sum of forty thousand dollars ($40,000) is the least that can he expended to advantage on this work and trust that the Parkman Fund Committee will recommend the appropriation of this amount.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Referred to the Committee on Parkman Fund.

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ADDITIONAL BUILDINGS, CITY HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, June 12, 1911.

To the City Council:

In forwarding the accompanying communication from the president of the Board of Hospital Trustees, setting forth the urgent need of greater accommodations for the South Department, and asking for an appropriation of two hundred ninety-seven thousand eight hundred dollars ($297,800), I can add little to what was said in my letter of Fehruary 17, 1911. The purchase of the Paine property logically involves the erection of additional buildings upon it, and the plan outlined in the letter of the president of the Hospital Trustees is prohably as satisfactory as any that could he made. I invite your earnest attention to this subject and helieve that the question is one of the most important that are now before your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

The Boston City Hospital,
Boston, June 9, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston,
and the Honorable City Council:

Gentlemen,—On Decemher 2, 1910, I addressed a communication to your Honor (of which the inclosed is a copy) setting forth the increasing need of greater accommodations for the South Department, and asking for an appropriation of $297,800 for new buildings, changes and additions, as itemized therein, to which I again respectfully refer. Since that time the demand for accommodations for the care of patients ill with infectious diseases has heen constantly increasing, and we have reached a point where this department is practically filled to its utmost capacity, and further accommodations are immediately needed.

If we compare foreign cities with Boston, we shall find that in London, in Glasgow and in continental cities there are accommodations for patients ill with infectious discases, giving each patient 1,500 cuhic feet of air space for 9 out of every 10,000 of the population. In Boston there are accommodations for only 3 out of every 10,000 of the population. The importance of this air space

cannot be overestimated. The number of cases of cross infection is very much increased when a hospital is crowded. Aside from that, patients with limited space do not do as well as where they have an abundant supply of air space. Additional accommodations are therefore greatly needed for the care of scarlet fever patients.

Anyone familiar with the history of infectious diseases in Boston for the past fifteen years must be convinced of the wonderful amount of good accomplished by the South Department during that time. For example, the death rate at the Boston City Hospital previous to the days of antitoxin for cases of laryngeal diphtheria was about 85 per cent.

In all cases of diphtheria the percentage of mortality from 1895 to 1909 has been 10.70, as compared with 43.20 before the opening of the South Department. In 1894, 18 people out of every 10,000 in Boston died from diphtheria; in 1910, two and a fraction.

It is well to bear in mind that the average ratio of mortality per 10,000 of the population in Boston from scarlet fever previous to the opening of the South Department was 2.87. The average ratio of mortality from 1895 to 1909, inclusive, was 1.61, a diminution of nearly one-half. If every patient who applied for treatment could have been promptly taken into the hospital, the ratio of mortality and ratio of morbidity would have been very much reduced.

In the new building at the South Department it is intended to have a roof garden, in order that the children may have the benefit of open-air treatment. It is also intended to have open-air wards in the buildings already erected, which is covered by the items refeiring to changes in the east and west pavilions.

The accommodations for laundry work at the South Department must he increased, and therefore an additional story must be added to the laundry building, as the laundry, heing of an infectious nature, must be done on the premises.

The alterations to the Paine Buildings, the connecting corridors, pipes and tunnels and the yard wall are all items that become necessary with the additional buildings and enlargements.

A second and very important reason why additional buildings should be erected is the fact that the accommodations for nurses are inadequate. It is also important that there should be separate dining rooms for nurses who have the care of the different infectious diseases. In foreign hospitals and in the new hospital just erected in Philadelphia these provisions have been made.

The treatment of infectious diseases is not a charity, in the common acceptance of the word, hut it is an element of public safety, and it is as much demanded by the public as a fire department or a police department. It is a disgrace to any municipality to have an epidemic of an infectious disease. Boston should be able to control any epidemic of the three principal infectious diseases namely, diphtheria, scarlet fever and measles.

Within the past two or three years the City of Boston has paid to other hospitals for the treatment of patients ill with infectious diseases about $33,000. The average price of board at these hospitals is ahout $10 a week, whereas at the South Department the past year, deducting money received from paying patients and from cities and towns, it has been $3.94.

In conclusion, the trustees, realizing the great responsibilities that rest upon them and upon the city government, most earnestly call the attention of your Honor and the honorable City Council to the crying need of these new buildings, and urgently request the earliest consideration of this loan appropriation.

I have the honor to remain, on behalf of the trustees,

Very respectfully yours,
A. SHUMAN,
President Board of Trustees.

—

The Boston City Hospital,
Boston, December 2, 1910.

Hon. John F. Fitzgerald,
Mayor of the City of Boston:

Dear Sir,—At a meeting of the Board of Trustees to-day the matter of an appropriation for the construction of buildings on the ground lately purchased from the Robert Treat Paine estate was considered.

The constant increase in the population of the City of Boston necessarily increases the number of infectious diseases. During the past three years the city has suffered so much from these vexatious diseases that the South Department has been overcrowded for a portion of each yeai. Its normal capacity is 250 patients, but the stress has been so great that at times this number has been increased to 400 to the detriment of the welfare of the patients. In addition to this the city has been ohliged to board out a great many patients at the Haines Hospital and other institutions during the time mentioned, which is not only detrimental to the public health but adds materially to the expense of caring for the patients over the cost to the hospital management within its sphere.

It is therefore of the utmost importance that adequate provision should be made for the treatment of this class of diseases, and to properly take care of all applicants ill with diphtheria, scarlet fever and measles.

It is a source of satisfaction to the trustees that Boston was the first city to establish a separate hospital for infectious diseases. Your Honor may possibly remember that about three years ago, during your former administration, an appeal was made to you for a measles pavilion. You generously and with a full appreciation of the importance of this ward recommended the necessary sum for its erection. This measles pavilion has accomplished a great deal of good and has filled a long-felt want, for until its erection there was no place to send a patient ill with measles.

The trustees feel, therefore, that your Honor as well as the honorable City Council will recognize the importance of enlarging the accommodations at the South Department at the earliest possible moment. After carefully considering the matter and going over several plans that have been submitted for their inspection, the trustees most respectfully ask your Honor to recommend a loan appropriation of $297,800 for new buildings, changes and additions at the South Department, approximated as follows:

Changes in east pavilion	$6,000 00
Changes in west pavilion	6,000 00
Additional story to laundry building	14,800 00
New six-story ward building	196,000 00
Alterations to Paine buildings	33,000 00
Connecting corridors and pipes and tunnels	20,000 00
Yard wall	8,000 00
Contingent and administrative expenses	14,000 00
	$297,800 00

The trustees, fully appreciating your Honor's great interest in the hospital and your co-operation for the welfare and alleviation of the sick, and especially for those unfortunately stricken with contagion, ask you kindly to recommend to the honorable Council the appropriation of the above mentioned sum.

I have the honor to remain, on behalf of the trustees,

Respectfully yours,
A. SHUMAN,
President Board of Trustees.

Referred to the Committee on Finance.

DISPOSITION OF REFUSE.

The following was received:

City of Boston,
Office of the Mayor, June 8, 1911.

To the City Council:

I beg to transmit a letter from the secretary of the Boston Chamber of Commerce, accompanied by a report of the Committee on Metropolitan Affairs, containing certain recommendations for the disposition of refuse and garbage in this city.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Boston Chamber of Commerce, June 5, 1911.

Hon. John F. Fitzgerald,
City Hall, Boston, Mass.:

Sir,— I inclose herewith a report of the Committee on Municipal and Metropolitan Affairs in reference to the proposals for the disposal of the city's garbage and refuse, recommending that the present proposals be rejected and that new bids be asked for on the basis of specifications to he drawn up by the Commissioner of Public Works. If this is done it will enable the Commissioner of Public

Works to make a fair comparison of the various bids submitted, as they will all have to conform to definite specifications, as is customary in awarding any large contract.

Yours very truly,
JAMES A. McKIBBEN, Secretary.

—

June 2, 1911.

To the Executive Committee and Board of Directors:

The Committee on Municipal and Metropolitan Affairs has carefully examined the various proposals recently submitted to the City of Boston for the disposal of the city's refuse and garbage. As these bids were not based on any official specifications, your committee has obtained an expert analysis of the actual cost which would be laid upon the city under each of the schemes of disposal submitted, and, besides considering the statements from several of the bidders, has conferred with Commissioner Rourke upon the merits and defects of the different plans from the standpoint of his office.

The committee recommends that the Chamber urge the Commissioner of Public Works not to approve any of the proposals submitted, and suggests that he obtain authority to call for new proposals, based upon a definite set of specifications to be drafted by the commissioner. It is the opinion of your committee that these specifications should be accompanied by a complete form of the contract which the successful bidder would be required to sign; and the specifications should be so framed as to allow separate contracts for the disposal of garbage and of refuse. After conferring with Commissioner Rourke upon the various phases of the situation, your committee has come to the conclusion that the specifications should stipulate for the city's ownership both of the reduction plant at which the garbage is utilized and of the various collecting stations, wherever these may be placed throughout the city.

Your committee has reason to believe that if new proposals are called for along the lines above indicated, several propositions more favorable to the city than those now at hand will be forthcoming.

Respectfully submitted.

Committee on Municipal and Metropolitan Affairs,
WILLIAM D. MUNRO, Chairman.
FRANCIS R. BANGS.
SAMUEL B. CAPEN.
ADAMS D. CLAFLIN,
STURGIS COFFIN, 2d.
HENRY E. HAGAN.
LEONARD METCALF.
RENTON WHIDDEN.
JOSEPH R. YENDLEY.

Associate Members,
NUGENT FALLON.
GEORGE W. PRATT.

Referred to the Executive Committee.

REPLACEMENT OF STEAMER "VIGILANT."

The following was received:

City of Boston,
Office of the Mayor, June 8, 1911.

To the City Council:

I beg to transmit two letters from the division engineer of the Bridge and Ferry Division of the Department of Public Works, setting forth the need of an appropriation for the replacement of the steamer "Vigilant," now in use by the Health Department, and furnishing an estimate of the cost of a steamer adequate to perform the work of that boat. In accordance with the recommendations of the division engineer I have drafted and recommend for passage the accompanying order, which provides for an appropriation of forty-eight thousand dollars ($48,000) for a new boat in the service of the Health Department.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Works Department,
Bridge and Ferry Division,
May 27, 1911.

Mr. Louis K. Rourke,
Commissioner Public Works:

Dear Sir,—By direction of his Honor the Mayor, I made an examination on May 26 of the Health Department steamer "Vigilant," which at the time was hauled out at a marine railway at the Atlantic Works, East Boston. As a result of the examination I beg to submit the following report:

The "Vigilant" is a wooden boat which has been in service twenty-five years. The frame of the hull is sheathed with plank on the inside, and the hull timbers can be seen only by removing this sheathing or the outer hull planking. At the time of my visit, certain outer planks had been removed from different parts of the hull just below the water line, thus permitting an examination to be made of a considerable number of frame timbers, as well as of portions of the hull planking.

Every timber which I could examine of the hull framework was found to be rotten. In some cases the decay has not yet become serious; in others the timbers are so badly decayed that the planking cannot be fastened to them. The planking itself is somewhat decayed on the inside, next the timbers. It is reasonable to suppose that the condition of the parts of the hull thus exposed is typical of the whole hull.

It is my opinion (1) that the wooden hull of the boat has been seriously weakened by decay; (2), that the boat in its present condition is liable to severe damage by collision such as might occur in a rough sea between the "Vigilant" and another steamer which the health officers were attempting to board, and (3), that the boat can be put into strong condition suitable for several years' service only by practically rebuilding the entire hull, an expense which I consider unwarranted in this case.

I recommend (1), that only such repairs to hull and machinery be made as are absolutely necessary to permit the boat to be continued in service for such period as will be required for the building of a new boat (about six or seven months); (2), that after these repairs are made the boat be used only within the limits of the harbor, and (3), that the "Vigilant" be replaced by another boat as soon as practicable.

Respectfully,
FREDERIC H. FAY,
Division Engineer.

—

City of Boston,
Public Works Department,
Bridge and Ferry Division,
June 5, 1911.

Mr. L. K. Rourke,
Commissioner Public Works:

Dear Sir,—In case the Health Department steamer "Vigilant" is to be replaced by a new boat I recommend that an appropriation of forty-eight thousand ($48,000) dollars be made for this purpose. This sum I consider sufficient to provide a plain and well built boat of moderate speed having the same length and a slightly greater beam than the "Vigilant"; a boat such as will best meet the needs of the Health Department.

Respectfully,
FREDERIC H. FAY,
Division Engineer.

—

Ordered, That the sum of forty-eight thousand dollars ($48,000) be and hereby is appropriated, to be expended by the Board of Health in the construction of a new steamer to take the place of the steamer "Vigilant," and that the City Treasurer be authorized, with the approval of the Mayor, to issue bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

HOT WATER, COURTHOUSE.

The following was received:

City of Boston,
Office of the Mayor, June 8, 1911.

To the City Council:

In connection with the letter forwarded to your honorable body, under date of May 22, from W. T. A. Fitzgerald, Esq., Register of Deeds, requesting an appropriation of one thousand two hundred and fifty dollars ($1,250) for hot water service in the new Registry of Deeds, I have drafted and recommend for passage the accompanying order authorizing the City Auditor to transfer this amount from the Reserve Fund.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That the sum of one thousand two hundred and fifty dollars ($1,250) be transferred

from the appropriation for Reserve Fund to the appropriation for County of Suffolk County Buildings, to be expended for hot water apparatus in the Registry of Deeds.

Referred to the Executive Committee.

TRANSFER OF APPROPRIATION.

The following was received:

City of Boston,
Office of the Mayor, June 8, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order, transferring the sum of five hundred and sixty-four dollars and seventy-one cents from the appropriation for Reserve Fund to the special appropriation for Northern avenue and Sleeper street. A letter from the Commissioner of Public Works, explaining the necessity of this transfer, is appended hereto.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Public Works Department,
City Hall, June 3, 1911.

To the Honorable the Mayor:

There is due the contractor for laying asphalt sidewalks on Northern Avenue Bridge, $564 71. This work was completed November 30, 1908, but payment has never been made because the late City Engineer was not satisfied with the quality of the work. It has now been decided to make final payment as the interests of the city are sufficiently protected by a ten-year maintenance guarantee bond. The entire work was done under a special appropriation for Northern avenue and Sleeper street, and I respectfully suggest that provision be made for transfer to the amount of $564.71 to cover the deficit.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer the sum of five hundred and sixty-four dollars from the appropriation for Reserve Fund to the appropriation for Northern avenue and Sleeper street.

Referred to the Executive Committee.

USE OF GOVERNOR'S ISLAND.

The following was received:

City of Boston,
Office of the Mayor, June 8, 1911.

To the City Council:

I beg to transmit the accompanying letter from Maj. Gen. F. D. Grant, commanding the Department of the East. The previous communication under date of February 8, referred to in General Grant's letter, was forwarded to your honorable body at its meeting of February 20 and referred to the Executive Committee, which appears not to have made any report upon the subject. General Grant's request that information asked for in his earlier letter be furnished without delay seems to be one that should be honored with immediate compliance, and I beg to recommend that the City Council take such action as may enable me to supply him with the data which he needs for the carrying out of the instructions of the War Department.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Headquarters Department of the East,
Inspector General's Office,
Governor's Island, New York City,
June 3, 1911.

To the Honorable the Mayor of Boston, Mass.:

Sir,—With reference to letter from these headquarters of February 8, 1911, addressed to you, quoting an extract from a report of an inspection of Fort Winthrop, Governor's Island, Boston, Mass., made November 1, 1910, by Maj. Gordon G. Heiner, Coast Artillery Corps, Acting Inspector General, with extract from an indorsement by the Chief of Engineers, U. S. Army, on said report, and an inclosure thereto, in which request was made that these headquarters be informed whether or not the City of Boston intended to take advantage of the permission given in a joint resolution, approved June 5, 1902, quoted in the letter, to improve and beautify Governor's Island, Boston Harbor, in connection with other works therein authorized, I have the honor to inform you that certain papers are held at these headquarters pending the receipt of your reply, which the War Department desires returned at the earliest practicable date. As it is impracticable to comply with these instructions until you are heard from in the premises, it is requested that the information asked for in my letter of February 8, 1911, mentioned above, be furnished without further delay, or that, if impracticable to do this, I be notified accordingly.

Very respectfully,
F. D. GRANT,
Major General Commanding.

Referred to the Committee on Governor's Island.

TRANSFER TO DOVER STREET BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, June 13, 1911.

To the City Council:

Gentlemen,—For the reasons given in the appended communications from the Commissioner of Public Works and the division engineer of the Bridge and Ferry Division, I beg to recommend the passage of the accompanying order authorizing the City Auditor to transfer the use of $2,000 from the appropriation of Neponset Bridge Rebuilding to the appropriation for Dover Street Bridge.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Public Works Department,
June 13, 1911.

To the Honorable the Mayor:

In accordance with inclosed request of Division Engineer Fay of the Bridge and Ferry Division, I respectfully recommend a transfer of the sum of $2,000 from the appropriation for Neponset Bridge to the appropriation for Dover Street Bridge.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

Public Works Department,
Bridge and Ferry Division, June 10, 1911.

Mr. L. K. Rourke,
Commissioner of Public Works:

Dear Sir,—Because of the cost of repairs for damage caused by fire at Dover Street Bridge last fall and of the necessity of rebuilding eleven dangerously corroded floor beams near the draw landing, whose condition could not be determined until the bridge floor was removed, the appropriation for repairs at this bridge will not be sufficient to cover the cost of work which should be done, I therefore recommend that the sum of $2,000 be transferred from the appropriation for Neponset Bridge to Dover Street Bridge appropriation. The balance on hand June 1, 1911 of the Neponset Bridge appropriation was $8,953.32. The cost of rebuilding the fender piers at Neponset Bridge for which a contract has been made, including engineering and inspection, will not exceed $6,500. A transfer of $2,000 can therefore be safely made and still leave sufficient amount for all work needed at Neponset Bridge.

Respectfully,
FRENERIC H. FAY,
Division Engineer.

Ordered, That the City Auditor be authorized to transfer the sum of $2,000 from the appropriation for Neponset Bridge Rebuilding to the appropriation for Dover Street Bridge.

Referred to the Executive Committee.

LOAN FOR SYSTEM OF DRAINAGE.

The following was received:

City of Boston,
Office of the Mayor, June 13, 1911.

To the City Council:

Among the bills presented on my petition to the General Court during the present session was one designed to limit the amount of the loan made mandatory under chapter 485 of the Acts of 1907,

for a separate system of drainage within the water shed of the Charles River Basin. Under the provisions of that act it was necessary for the city to horrow ahout seven hundred thousand dollars ($700,000) this year, hut the engineers of the Department of Puhlic Works have estimated that the sum of four hundred thousand dollars ($400,000) was about all that could he expended to advantage and that it would he preferahle to use the borrowing capacity of the city for an increase of the regular sewerage loan. The hill, which is House Bill No. 1295, has not yet heen passed and rather than permit any delay, which I am assured by the Commissioner of Public Works is extremely detrimental to the efficiency of the work itself, I desire to recommend the immediate passage of the accompanying order, which provides for a loan to the amount of four hundred thousand dollars ($400,000), which is the limit set in the hill.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That the sum of four hundred thousand ($400,000) be appropriated for the construction of sewerage works within the water shed of the Charles River Basin, heing a portion of the amount required in chapter 485 of the Acts of 1907; and that the City Treasurer he authorized to issue from time to time, on the request of the Mayor, honds of the City of Boston to said amount for said purpose.

Referred to the Committee on Finance.

REVENUE FROM SHAW ESTATE.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1911.

To the City Council:

I heg to recommend the passage of the accompanying order which appropriates the revenue received from the Quincy A. Shaw estate as a part of the Reserve Fund.

Respectfully,
JOHN F FITZGERALD, Mayor.

Ordered, That the revenue rceeived from the estate of the late Quincy A. Shaw be appropriated as a part of, and added to, the Reserve Fund.

Referred to the Executive Committee.

USE OF SCHOOL BUILDINGS.

The following was received:

City of Boston,
Office of the Mayor, June 12, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order, providing that the sum of thirteen thousand dollars ($13,000) he appropriated from the Reserve Fund, to he expended under the direction of the Superintendent of Puhlic Buildings, for the purpose of carrying out a program for the extended use of school buildings, suggested by the Boston Home and School Association and Boston–1915.

A request for this expenditure was addressed to me under date of March 25 by the executive director of Boston–1915, who also acted as chairman of the committee on the Further Use of School Buildings of the Boston Home and School Association. Suhsequent letters dated April 8 and June 6 have reiterated his sense of the importance of an appropriation which should render possihle the opening of school buildings in different parts of the city after the regular school sessions. Various civic organizations have endorsed the proposition and there is no douht of the very extensive popular demand for a fuller utilization of our splendid school plant, which is valued by the assessors at twenty million dollars.

While my sympathies were enlisted in this movement at an early date it seemed to me that the proper department to take up this work was the School Committee rather than any of the departments under the direct control of the Mayor and City Council. Acting under this conviction I forwarded the letter of Mr. Munroe to the Boston Finance Commission with the request that that body report whether the experiment was advisahle and if so, what department of the city in their opinion should hear the expense. The Finance Commission expressed itself as favorahle to the plan but referred to the School Committee the question of cost and of the terms and conditions under which such use should be permitted. The School Committee reported directly to the Mayor and stated that it was unahle to proceed further in the direction suggested without additional revenue. As this question was hound up with the general issue of school finances, upon an investigation of which the Finance Commission had heen engaged for ahout a year, I forwarded the reply of the School Committee to the Finance Commission, requesting it to report specifically upon this point and to state whether it agreed with the opinion of the School Board that there were no funds availahle in the appropriation and revenue of that body for this purpose. My communication was acknowledged but no further reply has been made, although two months have elapsed since that date.

Under the circumstances, I am still of the opinion that this is properly within the province of the School Committee and believe that incidentally it would henefit the school system itself since it would tend to familiarize parents with the interior arrangement and atmosphere of the school huildings and to awaken their interest in the school work. The disinclination of that Board, however, to provide for this interesting extension of its work, and the failure of the Finance Commission to furnish the advice which might properly he expected from it, seem to make it necessary for the City Council to appropriate additional money for the purpose. I believe that this form of adult education, which has already been established in other cities with great success, is sure to develop in Boston and I trust that your honorahle hody will, by prompt action upon the accompanying order, attach to itself the credit of having initiated a new chapter in the educational progress of our city.

The entire correspondence with the Finance Commission and the School Committee, together with the letters from the representatives of the Boston Home and School Association and Boston–1915, and various resolutions endorsing their program, sent in hy civie organizations, are appended hereto.

Respectfully,
JOHN F. FITZGERALD, Mayor.

(Annexed was correspondence referred to.)

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893, the City Auditor be and herehy is authorized, with the approval of the Mayor, to transfer the sum of thirteen thousand dollars ($13,000) from the appropriation for Reserve Fund to an appropriation for Extended Use of School Buildings, to he expended under the control of the Superintendent of Puhlie Buildings.

Referred to the Executive Committee.

FIRE PROTECTION, PARKER HILL.

The following was received:

City of Boston.
Office of the Mayor, June 13, 1911

To the City Council:

In compliance with the request contained in an order passed hy your honorable hody at its meeting of May 31, to the effect "that his Honor the Mayor be requested to inform the City Council what progress has heen made toward providing suitahle fire protection for the Parker Hill section," I beg to transmit communications from the Fire Commissioner, the secretary of the Street Laying-Out Department, and the Commissioner of Puhlie Works, showing that the city has taken steps to provide a road free from excessive grades upon the northern slope of the hill, to install an automohile chemical and hose wagon in the quarters of Engine 37, and to lay a separate water main under Parker Hill avenue in front of the hospital property situated thereon.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Headquarters Fire Department,
June 5, 1911.

Hon. John F. Fitzgerald, Mayor:

Sir,—I beg to acknowledge receipt of your communication of June 3, directing that I furnish you with information as to the work done hy this department to provide suitable fire protection for the Parker Hill section and the cost thereof.

Under date of February 17 I forwarded to your office a letter recommending certain measures to be taken to better the fire protection of the Parker Hill district. These measures were:

First. A road free from excessive grades upon the northern slope of the hill.

Second. The installation of an automobile chemical hose wagon in the quarters of Engine 37.

Third. The installation of a separate water main along Parker Hill avenue in front of the hospital property thereon and connecting with a stationary pump in the quarters of the Robert B. Brigham Hospital.

A copy of this letter is inclosed herewith.

The following action has resulted from these recommendations:

First. The road on the northern slope of the hill is in process of construction

Second. This office, under date of February 17, forwarded to your office requests for permission to enter into a contract with the American La France Fire Engine Company for the purchase of an automobile chemical hose wagon to be installed in the quarters of Engine 37.

Third. The Department of Public Works is in consultation with the trustees of the Robert B. Brigham Hospital with the idea of adjusting the necessary details with respect to the installation of a pump and water main on the top of the hill.

I am informed by the Public Works Department that the cost of the pipe and necessary hydrants for the separate water main will probably be about $4,000. The cost of the automobile chemical hose wagon to be placed in the quarters of Engine 37, temporarily, will be $5,500. I am not informed as to the cost of the road up the hill.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

—

City of Boston,
Headquarters Fire Department,
February 17, 1911.

Hon. John F. Fitzgerald, Mayor:

Sir,— I have the honor to forward the following recommendations with respect to fire protection on Parker Hill:

First. That a first-class macadam road be built on the northern slope of the hill, in the construction of which excessive grades be avoided.

Second. That an automobile chemical hose wagon be installed in the quarters of Engine Company 37. I inclose herewith requests for permission to enter into contract for the purchase of this automobile.

Third. That the Department of Public Works consult with the trustees of the Robert B. Brigham Hospital with the idea of preparing plans for a separate water main from the power station of the Robert B. Brigham Hospital to Parker Hill avenue and along Parker Hill avenue to the end of the hospital property thereon.

In connection with this recommendation I desire to state that I have consulted the authorities in charge of this hospital, and I have been informed unofficially that they probably would be very glad to co-operate in the installation of this system.

They state that they could provide the necessary room for such a pump and could give it the constant attention demanded in connection with the regular management of their own power plant. They suggest that the matter should be taken up immediately as it is proposed to complete the plans for the hospital in the immediate future.

I beg to point out that this would constitute very effective fire service for this badly exposed situation, without any heavy expenditure of money.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

—

City of Boston,
Street Laying-Out Department,
June 5, 1911.

Hon. John F. Fitzgerald, Mayor:

Dear Sir,—Replying to your letter of the 3d instant, in which you inquire as to the work done by this department toward providing suitable protection against fire for the Parker Hill section and the cost thereof, the Board of Street Commissioners has to say that it has, with your approval, ordered the extension of Sachem street to Parker Hill avenue. This extension was agreed upon by all the parties in interest on the top of Parker Hill as affording the best grade to reach the top of the hill. The Board understands that the Commissioner of Public Works is about to enter upon the construction of the street, which will probably be completed during the summer. It is estimated that the cost of constructing this street will be about $45,000.

Very truly yours,
J. J. O'CALLAGHAN, Secretary.

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City of Boston,
Public Works Department,
City Hall, June 13, 1911.

To the Honorable the Mayor:

In answer to your letter of June 3, inclosing order of City Council relative to fire protection for Parker Hill section, kindly note attached reports of the division engineer in charge of the Sewer and Water Division.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

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Public Works Department,
Sewer and Water Division,
Boston, March 7, 1911.

L. K. Rourke, Esq.,
Commissioner of Public Works:

Dear Sir,— In answer to letter from William A. Leahy, secretary to his Honor the Mayor, of the 20th ultimo, regarding fire protection at Parker Hill, I beg to say that a complete estimate and report cannot be made at the present time, for neither the New England Trust Company, who under court order are erecting the building as trustees, nor Shepley, Rutan & Coolidge, the architects, are in a position at the present time to talk over the details of their power plant. It will cost about $4,000 to install the necessary mains and hydrants to protect the Brigham, Baptist, Cushing and Women's Hospitals. The pipe would extend from the proposed power station of the Brigham Hospital near Fisher avenue and Hayden street, through the land of the Brigham Hospital to Parker Hill avenue, and thence along Parker Hill avenue to the Women's Hospital; about 1,450 feet of 10-inch pipe will be needed with six hydrants. It will manifestly be desirable that the pump or pumps to be installed by the hospital authorities for their own service be suited as well for this proposed fire service.

Very respectfully,
F. A. MCINNES,
Division Engineer

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Public Works Department,
Sewer and Water Division,
Boston, May 24, 1911.

L. K. Rourke, Esq.,
Commissioner of Public Works:

Dear Sir,— In the matter of fire protection for Parker Hill, I respectfully suggest that a letter be addressed to J. R. Hooper, chairman trustees of Robert Brigham Hospital, setting forth just what is desired from the trustees in the matter of fire protection. I am informed the Fire Commissioner has already written Mr. Hooper asking that a space not less than 15 by 10 by 10 be provided for a pump in the power station of the hospital; a further necessity would be the right to lay and maintain a pipe in a strip of land along the westerly line of the Brigham lot, between Fisher avenue and Parker Hill avenue. This right of way it has been customary to make 8 feet wide. I inclose a sketch showing by red line the location of the right of way required. I make the above suggestion after having been informed by Mr. Hooper that he would like to have a definite proposition in writing.

Very respectfully,
F. A. MCINNES,
Division Engineer.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Kate Norton, for compensation for damage to property 20 Lawn street by overflow of Stony brook.

Catherine D. Ryan, for compensation for damage to property at 200 L street by oil sprinkling carts of the city.

Mrs. Joseph Phalen, for compensation for injuries caused by her being struck with fire apparatus.

Mrs. Sophie Foster, for compensation for damages at 34 Cherokee street, by a steam drill.

Pasquale Di Napoli, for compensation for damage to horse by its falling into a catch-basin, corner Dexter road and Green street.

Anna J. Murphy, for compensation for damage to suit.

Helen A. Hoey, for a hearing on her claim on account of a defective sidewalk.

William S. Heath, to be refunded $12.79 balance due him on account of a water pipe at 249 Chestnut Hill avenue.

Benjamin Cohen, to be paid $3.08, balance due him on account of permit to occupy portion of street.

Joseph Cohen, to be paid for damages caused by his being struck by muddy water by employees of the city.

Paul Barron Watson *et al.*, trustees, to be paid interest and costs on amount awarded them in abatement of taxes.

Michael J. Crowley, for balance remaining from tax sale of estate on Malcolm street.

Michael J. Crowley, for balance remaining from tax sale of estate on Malcolm street.

Executive Committee.

Petitions were received for sidewalks, as follows:

(Gravel With Granite Edgestone.)

N. W. Robinson, 70 Grampian way, Ward 20.

(Brick.)

Amory A. Lawrence *et al.*, trustees, West street, southwest corner Mason street, Ward 7.

Edric Eldridge *et al.*, 39–43 Lochstead avenue, Ward 22.

W. J. Packard, 259 Friend street, Ward 8.

Snider & Rudnick, 204 Hemenway street and Bryant street, Ward 11.

A. J. Rudnick, 574–586 Newbury street, Ward 11.

W. J. Maguire, 44–48 Ivy street, Ward 11.

E. W. Pitman Company, 49–65 Lansdowne street, Ward 11.

Philip R. Hovey, trustee, 30–70 Cummington street, Ward 11.

George A. Mitten, 15 Leyland street, Ward 16.

Peter E. Walsh, 150 Stanwood street, Ward 20.

E. P. Day, 152 Stanwood street, Ward 20.

Peter J. Brady, 18 Hinckley street, Ward 20.

Samuel Simons, 211 Quincy street, Ward 20.

William Duff, 143–145 Pleasant street, Ward 20.

James H. Waldron, 98 Saxton street, Ward 20.

Margaret R. Simonds, Topliff street and Geneva avenue, Ward 20.

Henry Green, 76–80 Holworthy street, Ward 21.

Benjamin Snider, 131 Crawford street, Ward 21.

Patrick Cox, 16 Devon street, Ward 21.

Joseph Segal, corner Blue Hill avenue and Sunderland street, Ward 21.

Jane C. Lannon, 1952–1954 Centre street, Ward 23.

P. O'Hearn, 1648–1650 Dorchester avenue, Ward 24.

A. G. Jones, 25–29 Linden street and 20 Farrington avenue, Ward 25.

Petitions for permits for children under fifteen years of age to appear at various places of amusement, viz.:

Edith Guerrier, for children to appear at Industrial School Hall, June 12.

Rev. Thomas F. White, S. J., for children to appear at St. Mary's School Hall, June 12.

Mrs. Amy T. Rawson, for children to appear at Steinert Hall on evening of June 27.

Eleanora A. Holbrook, for children to appear at Pilgrim Hall, June 19.

RAILROAD POLICE.

Notice was received from the Boston, Revere Beach & Lynn Railroad Company and from the Police Commissioner of the appointment of D. Henry O'Hara and others as railroad police officers.

Placed on file.

Notice was received from the Boston, Revere Beach & Lynn Railroad Company that Leroy Bower was no longer employed as railroad police officer.

Placed on file.

NOTICE OF INTEREST.

Notice was received from Fred S. Gore, Commissioner of Penal Institutions, of his interest in corporation which has contract for repaving Dorchester avenue and building macadam roadway on Chipman street.

Placed on file.

ORGANIZATION OF SCHOOLHOUSE COMMISSIONERS.

Notice was received from the Schoolhouse Commissioners of organization with Mr. Charles Logue as chairman, Mr. Charles D. Perkins as secretary, Mr. Horace D. Fisher as assistant secretary and Mr. John F. Kennedy as acting chairman.

Placed on file.

COAL AND COKE LICENSE.

A copy of coal and coke license granted by the Secretary of the Commonwealth was received.

Placed on file.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the following constables' bonds:

Joseph E. Allen, James J. Clark, Robert J. Dooley, John J. Franey, Lawrence J Kelly, Thomas J. O'Keefe, William L. Simmonds, Thomas H. Staples.

Approved by the City Council.

STORAGE OF EXPLOSIVES.

Notices were received from the following named parties certifying that the following named buildings were used for storage of explosives and of intention to continue such use for the ensuing year, viz.:

Fire Department, Walk Hill and Wenham streets.

Fire Department, Bristol street.

Fire Department, Ladder House 4, Dudley street.

Fire Department, Ladder House 8, Fort Hill square.

Quincy Market Cold Storage and Warehouse Company, 69 Eastern avenue, Ward 6.

Landers Brothers Company, 145 Pearl street.

Charles F. Wighington, 35 Bay State road.

Maxwell-Briscoe Boston Company, 100 Massachusetts avenue.

Placed on file.

COST OF ISSUING MINORS' LICENSES.

The following was received:

June 5, 1911.

To the Honorable the City Council:

Gentlemen,—In reply to your request, dated May 3, 1911, the Finance Commission respectfully submits the following report on the comparative cost of issuing and regulating minors' licenses by the School Committee through the Supervisor of Licensed Minors attached to the office of the Superintendent of Schools, and by the City Council through the Superintendent of Licensed Minors attached to the office of the City Clerk.

Up to about one year ago the total cost to the School Committee of performing this work, as well as the cost per license, was much less than the cost of similar service then performed through the office of the Clerk of Committees of the City Council. Thus, the average cost to the School Committee for issuing about 2,500 licenses was about $2,100 a year, and the cost to the Clerk of Committees Department for issuing about 2,000 licenses was about $6,000 a year. Several changes affecting the cost in both these departments have taken place in the past year.

Since the office of Clerk of Committees was abolished by the Charter Amendments of 1909 (chapter 486, section 1), the work has been done by the City Council with the aid of the Superintendent of Licensed Minors who, as already stated, is attached to the office of the City Clerk, and of other employees of the City Clerk's office. Two employees of the Clerk of Committees Department who formerly assisted in this work, and whose annual salaries aggregated $2,400, have been trans-

ferred to the Street Laying-Out Department and given other duties, and the salary of the superintendent has been reduced from $2,000 to $1,500 a year, thus reducing the total cost of the work $2,900 a year. The cost per license has been correspondingly reduced.

Meanwhile the total cost to the School Committee has remained substantially the same, as, unlike the Clerk of Committees, the School Committee had no superfluous employees to eliminate, nor any unnecessarily high salaries to reduce. The cost per license has increased, however, owing to the changes the School Committee has made in the system of issuing the licenses. Thus, the licenses which were formerly issued annually are now issued for a period which ends when the minor attains the age of fourteen years, and consequently the term of the license has increased from one year to an average of about three years. This change operates in two ways to increase the per license cost to the School Committee. It reduces the total number of licenses issued annually, thereby increasing the gross cost per license, as the total expense of the work remains substantially the same as when a larger number of licenses were issued. It also increases the net cost of the work as the School Committee bought and still buys licensed minors' badges for 8⅓ cents apiece and charges 25 cents apiece for them, and the profits have been diminished in proportion to the reduction in the total number of licenses issued each year.

It should he noted that the increased cost per license issued through the School Committee is a bookkeeping increase merely, and that there has been no substantial increase in the total expense of the work, nor any diminution in efficiency as the result of issuing longer term licenses. On the contrary, the change has relieved the schoolmasters of much useless routine work that was performed under the old system without reducing the amount of supervision exercised over the licensed minors. On the other hand, the supervision exercised by the Superintendent of Licensed Minors attached to the City Clerk Department has been in some degree diminished by the elimination of the two employees who, as already stated, have been transferred to the Street Laying-Out Department.

The commission has made the foregoing explanation in order that the City Council may know the reasons for the present greater cost per license to the School Committee than the cost when it issued the licenses annually, as well as the cause of the present greater cost to the School Committee than the present cost of issuing licenses through the City Council.

The comparative costs at the present time are as follows:

	City Council.	School Committee.
Salary of superintendent or supervisor	$1,500 00	$1,400 00
Clerical and office assistants,	205 00	625 00
Printing	48 00	12 00
Postage	4 00	42 00
Car tickets	.....	42 50
Other supplies	22 00	4 00
Telephone	.....	20 00
		$2,145 50
Less profit on 850 badges		141 66
Total	$1,779 00	$2,003 84
Per license cost:		
School Committee... 850		$2 35
City Council..... 1,700	$1 04	

These figures represent the approximate, not the actual costs, as all the items of expense cannot be ascertained with absolute accuracy. For example, in the issue of these licenses the full time of a clerk is not required either by the City Council or by the School Committee, and the proportion of clerical assistance is therefore given in each case only as an estimate. So, also, such stationery and supplies as are needed in connection with the licenses are taken from the general supplies of the School and City Clerk Departments, and there is no means of determining their exact cost to each department. Nor is there any satisfactory means of apportioning and therefore of comparing rent, light and heat charges.

The School Committee will pay approximately between $100 and $125 annually for the expenses of the Newsboys' Court, which was established last fall. The City Council has no corresponding expense, and consequently no corresponding assistance in controlling its licensees.

As previously stated, the School Committee pays 8⅓ cents for badges and charges 25 cents, but the badges used in connection with licenses issued by the City Council cost 25 cents and are sold for the same sum, though the latter badge is not so good for the required purpose as the former. There is no apparent reason why the city should continue to waste 16⅔ cents on each badge given with licenses issued by the City Council.

The commission has confined itself in this report to the question of comparative costs and the reasons therefor, as the request of the City Council is limited to this particular question and as there is no inquiry relating to the present efficiency of the two departments with respect to the supervision of minors who receive licenses.

Respectfully submitted,

THE FINANCE COMMISSION,
by JOHN A. SULLIVAN,
Chairman.

Referred to the Executive Committee.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up unfinished business, No. 1, viz.:

1. Action on appointments submitted by the Mayor May 31, of B. Frank Hooton and John C. Sullivan to be Weighers of Coal, Measurers of Wood and Bark, Measurers of Grain, Inspectors of Pressed or Bundled Hay and Straw, Weighers of Boilers and Heavy Machinery and Weighers of Beef, for the term ending April 30, 1912.

The question came on confirmation. Committee —Coun. Ballantyne and Curley. Whole number of ballots cast 6, yeas 6, and the appointments were confirmed.

TRANSFER TO MUNICIPAL BUILDING, SOUTH BOSTON.

President COLLINS called up unfinished business, No. 2, viz.:

2. Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer the sum of thirty thousand dollars ($30,000) from the appropriation for Bathing Establishment, Ward 15, to an appropriation for Municipal Building, South Boston.

On May 22 the foregoing order was read once and passed, yeas 8, nays 0.

The order took its final reading and was passed, yeas 6, nays 0.

APPROPRIATION FOR LIGHTING.

President COLLINS called up, under unfinished business, No. 3, viz.:

3. Ordered, That the sum of $300,000 be and hereby is appropriated to be expended by the Department of Public Works for the purchase and installation of approximately 11,000 gas lamps with mantles and other necessary equipment and approximately 11,000 automatic lighting and extinguishing devices; that to meet the said appropriation the City Treasurer be hereby authorized to issue, from time to time, on the request of the Mayor, bonds of the City of Boston to said amount for said purposes.

On May 22 the foregoing order was read once and passed, yeas 8, nays 0.

On motion of Coun. KENNY it was voted that the order lie on the table, and Coun. KENNY presently moved that it be taken from the table.

Coun. CURLEY—Mr. President, I trust that Coun. Kenny will withdraw that motion.

President COLLINS—The Chair will advise the Council that debate is not in order on a motion to take from the table.

Coun. CURLEY—Mr. President, I merely wish to make a suggestion, if permitted, that Coun. Buckley has a case in the Probate Court and will be here at 4.15, and he may possibly desire to vote upon this order.

Coun. KENNY withdrew his motion to take the order from the table.

Later in the session the order was taken from the table, and was read a second time and again passed, yeas 8, nays 1, Coun. Curley voting nay.

HEARING AT FOUR O'CLOCK.

4. On petition of the Old Colony Street Railway Company for leave to operate as a common carrier of newspapers, baggage, express matter and freight upon its street railway tracks between the Neponset Bridge and the car barn on Neponset avenue.

No objections. Referred to the Executive Committee with instructions to give a hearing to the petitioners.

FINANCE.

Coun. KENNY, for the Committee on Finance, submitted the following

(1) Report on message of Mayor, communication and order (referred May 15) for loan of $5,000 for North End pier buildings—that the order ought not to pass.

Coun. KENNY—Mr. President, the Committee on Finance are of the opinion that this is a matter which should be taken up by the Executive Committee and charged to maintenance, rather than to negotiate a loan. Therefore they make that report.

Report accepted; order rejected.

(2) Report on message of Mayor, communication and order (referred April 14) for a loan of $63,000 for bridge at Meridian street, East Boston, —that the order ought not to pass (without prejudice).

Coun. KENNY—Mr. President, the Committee on Finance have considered the order of the Mayor with respect to the proposed Meridian street loan and are of the opinion that for the time being the order ought to be rejected. The statute which requires that action be taken within sixty days expires to-night, and in order that a hearing may be had, in accordance with the suggestion of the Finance Commission, it is deemed expedient at this time to make this report on the matter.

Report accepted; order rejected.

(3) Report on order (referred May 22) for loan of $150,000 for high pressure for fire service—that the order ought to pass.

Report accepted; order read once and passed, yeas 8, nays 0.

(4) Report on order (referred May 22) for loan of $300,000 for high pressure fire service—that no further action is necessary.

Accepted.

HEARING ON DRAWBRIDGE.

Coun. KENNY offered an order — That the Committee on Finance be directed for and on behalf of the City Council to request a hearing before the United States Engineer at Boston with respect to the proper width of the draw of the Meridian Street Bridge.

Coun. KENNY—Mr. President, that is in accordance with the recommendation of the Finance Commission.

The order was passed.

LIGHTING OF NEWMAN STREET.

Coun. KENNY presented petition of Thomas Waldron *et al.*, asking for lamp on Newman street.

In connection with the petition Coun. KENNY offered an order — That the Commissioner of Public Works be requested, through his Honor the Mayor, to cause Newman street, South Boston, to be properly lighted.

Passed.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses for twenty-three newsboys, five vendors, and two bootblacks — that said licenses be granted.

Report accepted; said licenses granted on the usual conditions.

SIDEWALK ORDERS.

President COLLINS offered the following:

Petition of John P. Riley *et al.*, asking for sidewalks on Minot street, Ward 24. In connection with the petition the President offered an order — That the Commissioner of Public Works make a sidewalk along both sides of Minot street between Neponset avenue and Adams street, Ward 24, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

That the Commissioner of Public Works make a sidewalk along both sides of Bradshaw street, between Glenway and Esmond streets, Ward 20, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

Ordered, That the Commissioner of Public Works make a sidewalk along both sides of Tetford avenue, Ward 24, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 437 of the Acts of 1893.

Referred to the Executive Committee.

Coun. BALLANTYNE offered an order—That the Commissioner of Public Works make a sidewalk along the Friends' Meeting House, No. 210 Townsend street, Ward 20; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 437 of the Acts of 1893.

Passed.

VACATION FOR VETERANS.

Coun. CURLEY offered an order—That the officer or board in charge of any department be hereby authorized to grant a vacation, without loss of pay, to all employees of the city in said department who are members of the Massachusetts Volunteer Militia, such vacation to be coextensive in time with the annal maneuvers of said militia.

Passed.

Coun. ATTRIDGE offered an order—That the officer or board in charge of any department be hereby authorized to grant a vacation, without loss of pay, to all employees of the city in said department who are veterans of the Civil War, such vacation to be coextensive with the annual encampment of 1911 of the Grand Army of the Republic.

Passed.

LAYING OUT OF GROVE STREET.

Coun. CURLEY offered an order—That the Board of Street Commissioners be requested to lay out and accept as a public way Grove street, Ward 20.

Passed.

SHOWER BATHS, WILLIAM EUSTIS PLAYGROUND.

Coun. CURLEY offered an order—That the Board of Park Commissioners be requested, through his Honor the Mayor, to cause the shower baths on the William Eustis Playground, Ward 17, to be kept open until ten o'clock p. m. during the summer season.

Passed.

TRANSFER OF CITY LAND.

Coun. CURLEY offered an order—That the piece of land adjoining the William Eustis Playground in Ward 17, owned hy the City of Boston, containing 14,225 square feet, situated on Shirley street, he transferred to the custody of the Park Commissioners, and laid out and maintained hy the commission as a children's playground.

Coun. CURLEY—Mr. President, I would say in this connection that the Ward 17 Playground, which contains in the vicinity of 240,000 square feet, is not of sufficient size to permit of a portion heing designated for the use of the smaller children; that there is a piece of land adjoining the playground, containing in excess of 14,000 feet, that has not heen used for any purpose hy the city since its taking a great many years ago, and which would serve the city admirahly provided sand boxes, swings, and so forth, are placed there. I sincerely trust that the Park Commission will see the wisdom of granting this reasonahle request.

The order was referred to the Committee on Puhlic Lands.

INVESTIGATION OF BAR ASSOCIATION CLAIMS.

Coun. CURLEY offered the following:

Order to Investigate Certain Claims of the Bar Association of the City of Boston on File in the City Auditor's Office Since 1885.

Whereas, The Legislature of Massachusetts in the year 1886, hy act, chapter 22, sections 1 to 7, inclusive, made a corporation with the corporate name Bar Association of the City of Boston, and reserved the right to repeal the same act at any time; and

Whereas, It appears from the language of section 1 of said chapter 22 that the corporation Bar Association of the City of Boston, before its incorporation, had existed for many years as a voluntary association under the same name, with many members, and with a large amount of personal property, consisting of an extensive law library, furniture, furnishings, cash and securities; and

Whereas, At the time of the incorporation of the Bar Association of the City of Boston all the property helonging to the former association became the property of the present corporation; and

Whereas, The Bar Association of the City of Boston by chapter 22 of the Act of 1886 is empowered and authorized to issue honds, hold real estate to the amount of $500,000 and personal property to an unlimited amount: and

Whereas, The corporation has been since its incorporation up to the present time and now is the owner of $500,000 worth of taxahle personal property, more or less, but has never paid any taxes, state, county or city, upon said property, and occupies a large part of Post Office Building, without paying rent; and

Whereas, This corporation is not a charitable or eleemosynary corporation, hut rather a commercial and political corporation; and

Whereas, This corporation is capahle at law of heing a party to action in law and equity, and of suing and being sued in its corporate name; and

Whereas, The Bar Association of the City of Boston has from time to time since the year 1885 heen plaintiff in a large numher of disbarment cases, fifty or more, in the Superior Civil Court for Suffolk County against divers persons; and

Whereas, The Bar Association of the City of Boston in said cases has by its attorneys and agents from time to time by virtue of certain claims or hills claimed to he due for services and disbursements procured from different judges of the Superior Civil Court orders on the County Treasurer for the payment of such claims and hills; and

Whereas, Among such attorneys are Heman Chaplin, Esq., formerly receiver for the John P. Squire Corporation, and partner of Arthur D. Hill, Esq., hut long since an absentee, and also Arthur D. Hill, Esq., himself former District Attorney for Suffolk County; and in pursuance of said orders, whether approved by the clerk or not, has by virtue of the representations made in said bills obtained and received sums of money from the Suffolk County Treasurer aggregating $40,000, more or less, according to hills now on file in the City Auditor's office for the City of Boston and County of Suffolk; and

Whereas, Each and all the justices of the Superior Court who have ordered the payments of said bills, whether citizens of Suffolk County or not, were all members of the Bar Association of the City of Boston and interested in it at the time they ordered payment of said bills; and

Whereas, There was and is no authority at law, express or implied, for the payment of any of the ahove claims or hills by the County of Suffolk, nor any power in the court, inherent or otherwise, to approve and order said bills to he paid hy the County of Suffolk, and especially no authority given hy Revised Laws, chapter 165, section 44; and

Whereas, The Bar Association of the City of Boston in its constitution provides that in all disharment proceedings against any person the expenses of the proceedings, both services and disbursements, shall be paid out of its treasury; and

Whereas, All judges of the United States courts in Massachusetts and all judges in all courts of record in the state courts are members of the Bar Association of the City of Boston; and

Whereas, The Bar Association holds itself out to urge and dictate the appointment of particular persons to places on the bench in Massachusetts; and holds itself out as a powerful factor in politics, alone and in combination with the Chamber of Commerce and Good Government Association to other well known operating powers in politics in the City of Boston and County of Suffolk; and

Whereas, Among its members are many professional politicians, clerks of courts and judges; and

Whereas, The Constitution and statutes of Massachusetts declare that it shall he the right of every person to have his cause tried hefore judges as free, independent and impartial as the lot of humanity will admit;

Wherefore, Be it ordered, that a committee he appointed, with full power to summons and hring hefore it the County Treasurer and City Auditor, clerks of courts, judges, officers, attorneys and agents of the Bar Association of the City of Boston, and all persons connected with, referred to and concerned in the matters of each and every item in each and every claim and hill on file in the City Auditor's office which has heen paid to the Bar Association of the City of Boston, its attorneys and agents since the year 1885 to the present time; and all court records, documents, writings, vouchers, and also all records of the Bar Association of the City of Boston; to ascertain how much of all the moneys so paid on the above bills have heen unlawfully obtained and received by the Bar Association of the City of Boston, its attorneys or agents; and if any is found to have heen unlawfully obtained, or ill-gotten, then that the Law Department be instructed to institute legal process for the recovery of the same, and that the matter he further referred to the proper departments of justice for fit action.

The President declared the preambles and order referred to the Executive Committee.

Coun. CURLEY—Mr. President, I was going to suggest to the Chair that, since this is a county matter, it be referred to the Committee on County Accounts, and I move reconsideration of reference to the Executive Committee as declared hy the Chair.

Reconsideration of the reference prevailed by a rising vote, 6 to 2, and Coun. CURLEY moved reference of the matter to the Committee on County Accounts.

Coun. KENNY—Mr. President, as an amendment to that motion I move that the resolutions be assigned to the second meeting from and after this meeting of the Council.

Coun. CURLEY—Mr. President, if I were actuated hy a desire to place in an unfavorable light the Bar Association I would certainly favor the motion made hy Coun. Kenny, but heing actuated solely with a desire that the hest interests of the city be concerned and that the Bar Association he freed from the charges that indirectly are contained in these resolutions, I move that the matter he referred to the Committee on County Accounts. I feel that Coun. Kenny will see the wisdom of such a course.

Coun. KENNY—Mr. President, I was merely wondering if the member who sits opposite had fully covered the situation. I thought it was a matter that ought to he read over hy the members of the Council and digested hefore we had it referred. I think before it is referred and before we vote upon it it ought to appear in the minutes, so that we may understand it thoroughly. Therefore, I move as an amendment that the matter lie on the table.

The motion to lay on the tahle was declared carried. Coun. CURLEY douhted the vote and asked for the yeas and nays.

The motion to lay on the tahle prevailed, yeas 6, nays 2.

Yeas—Coun. Attridge, Ballantyne, Buckley, Collins, Kenny, McDonald—6.
Nays—Coun. Hale, Smith—2.
Coun. HALE—Mr. President, there has been a great deal of talking upon a very small matter. I would like simply to move reconsideration of the laying of this order upon the tahle. As Coun. Curley has well said, this is a matter that involves serious charges. I think they ought to he investigated, hut I don't think they should he spread around in puhlic any more than is necessary until the investigation has heen made. This particular motion to lay on the tahle is the hest method of airing it hefore the puhlic that we could possihly find, hecause it appears on each of our calendars each week.
President COLLINS—The Chair would advise the Council that the only motion the Chair can entertain is the motion to take from the tahle, which is not dehatahle. Does the councilor make that motion?
Coun. HALE—I make that motion.
The motion to take from the tahle was lost hy a rising vote, 3 to 4, and President COLLINS offered an order.
Coun. HALE—Mr. President, I douht the vote.
President COLLINS—Other business having intervened, the douht is out of order.

DUTIES OF MR. ERNST.

Coun. CURLEY offered an order—That the Finance Commission be requested to inform the City Council, at its earliest convenience, as to the duties of Mr. George A. O. Ernst, one of its employees, and for what legitimate reason or reasons he draws money from the City of Boston.
Coun. CURLEY—Mr. President, in connection with this order I desire to state that the Bureau of Research was estahlished about a year ago for the purpose of placing upon a husiness hasis the various departments of the city, and some $5,000 was appropriated by vote of the City Council for an investigation into the conduct of the School Department. His Excellency the Governor recently vetoed an order calling for certain increases in salary and retirements, desired hy teachers in the Boston puhlic schools. I feel that there would have been no occasion for any person's going to the Legislature and seeking the enactment of special legislation of the character set forth in that particular hill, provided Mr. Ernst and his Bureau of Research and the Finance Commission had made the thorough investigation that everybody hoped they would make into the conduct of the School Department. I have no desire to charge the School Department or any of the city departments with heing reckless in the expenditure of their appropriations, hut the fact stands forth significantly that the School Department this year, with seventy-one less pupils than there were during the last fiscal year, has heen spending $304,000 more for the maintenance and conduct of the department than was expended in the previous year. Business Agent Keough, in a report, states, under date of Tuesday, June 6, in the Boston *Post*, "That the annual appropriation for the schools for 1911–12 was $4,392,000. The expenditures for the first five months of 1911–12 were $1,666,550.64, an increase over the same period last year of $48,–432.61. The halance unexpended is $2,725,449.36." Doctor Leen suggested that an inventory of all school property should be taken. It had never heen done, he helieved. "There must he leaks that should be stopped up," he said. "How are we to know where they are? I think that the memhers of the Board of Apportionment do not know their husiness," said Doctor Leen, "except, perhaps, Mr. Keough or Mr. Porter." Doctor Leen is a gentleman whose reputation in this city and whose interest in our puhlic school affairs is as great as or greater than that of any memher of the School Committee, and if, as Doctor Leen points out, there are leaks in the School Department, I would like to have Mr. Ernst, through the Finance Commission, inform the City Council for what purpose he receives $5,000 per year, what service he renders the city for that $5,000 per year which he receives; and after he has answered those questions I should like to have the Finance Commission inform this hody in what manner the $5,000 appropriated by the City Council for an investigation into the conduct of the School Department was expended. If the result of their lahor, after an expenditure of $5,000 for investigation and after an expenditure of $5,000 additional for the salary of Mr. Ernst, results in an addition to the expenditures of the School Department of $304,000 during the last year, with seventy-one pupils less than in the preceding year, I should like to know what good service, what valuable service, is rendered the city hy Mr. Ernst, and I should like to ask Mr. Ernst, in all sincerity and in all friendship, if he does not honestly helieve that he is receiving his money under false pretences. Business Agent Keough stated that the task of making an inventory would he something colossal. There would he 3,000 schools to report upon, and in the Girls' High School alone there was a library of 25,000 volumes. Chairman Ellis said the teachers might be instructed to send in reports from each school. Chairman Ellis said he thought the idea of Doctor Leen a good one. He asked Doctor Leen to later on present a definite plan for having the work done. I should like to ask why Doctor Leen should he called upon to present a definite plan with relation to this particular work in view of the fact that the Finance Commission has heen investigating the School Department for pretty nearly a year, that $5,000 has been expended on that work of investigation, and that in addition $5,000 is paid annually to Mr. Ernst as chairman of the Bureau of Research. I would like to ask what real work they have accomplished, what benefits, what results have heen achieved in the matter of the conduct of the School Department. We have received no reports as to how that $5,000 was expended; we have received no reports from Mr. Ernst, except what leaks out occasionally,—such information as that Mr. Ernst is now in charge of the Finance Commission, and that Mr. Sullivan since his illness has been relegated to the background, that Mr. Sullivan is simply acting chairman and that Mr. Ernst is not only chairman of the Bureau of Research, but is chairman of the Finance Commission as well. If he is chairman of the Bureau of Research I would like to ask why business methods have not been applied in all the city departments, and I should like to ask in what particular city departments business methods have been applied since the Bureau of Research was estahlished? We have received no reports—at least I have not—from the Bureau of Research relative to their work. I understand that the Press have received no reports and I know of no citizen to whom they have reported. They certainly are answerable to somebody other than the Finance Commission. Reports should be submitted to the City Council of what they have done, what they propose doing, and what they think should he accomplished for the hest interests of the city. If Mr. Ernst is not attending strictly to his duties as chairman of the Bureau of Research, I helieve he owes it to himself as a reputable citizen of this community to resign his position as chairman of that bureau; and if Mr. John A. Sullivan is no longer really chairman of the Finance Commission I believe he should no longer draw the salary of $5.000, hut should surrender the position to Mr. Ernst. The fact remains that $5,000 was appropriated for an investigation of the conduct of the School Department, which it was thought would be of henefit to the city and would tend to a reduction in the running expenses of the School Department; that $5,000 has been paid to Mr. Ernst as chairman of the Bureau of Research, and that no report has come from the Bureau of Research relative to improvement in the conduct of any of the city departments. I helieve these questions should he answered hy the Finance Commission or hy Mr. Ernst, and if Mr. Ernst is a reputable citizen,—as some people in this community believe him to he,—I helieve he will resign his position as chairman of the Bureau of Research.
Coun. HALE—Mr. President, this order that Coun. Curley has suhmitted reads, as you will probably remember: "Ordered, That the Finance Commission be requested to inform the City Council, at its earliest convenience, as to the duties of Mr. George A. O. Ernst, one of its employees, and for what legitimate reason or reasons he draws money from the City of Boston."

Of course, there are two possible interpretations of that order. One is the interpretation that my Brother Curley has put on it, namely, that we have no confidence in Mr. Ernst or in his Bureau of Municipal Research. The other and the more liheral interpretation is simply that we are requesting information from the Finance Commission as to the progress of this new Bureau which we asked them to create a year ago. I, for one, think that the Bureau has been doing good work. I say that

not from any knowledge I have, hut simply from my confidence in Mr. Ernst as a man.

Coun. CURLEY—Mr. President, if I might he permitted, I would like to ask Coun. Hale, in view of the fact that he says they have done good work, to name ten specific recommendations that have heen made hy the Bureau of Research.

Coun. HALE—Mr. President, I shall he very glad to answer that question. I don't know of any specific recommendations that have been made to the City Council or the Mayor by the Bureau of Municipal Research. That hureau was created a year ago by the Finance Commission as a suhordinate hranch of the Finance Commission, and the hureau would he exceeding the scope of its authority if it made reports to anybody but its immediate head, the Finance Commission. It would he a good deal as if Mr. Leary or Mr. Dever should report to some outside person in regard to husiness they do for us or any thing connected with that business. The Bureau of Municipal Research and Mr. Ernst are suhordinate to the Finance Commission, and it is to the Finance Commission alone that they should report. I have no idea how many recommendations Mr. Ernst has made to the Finance Commission and I don't helieve anybody here has. I have no doubt the Finance Commission would he very glad to give the information requested hy this order; but I wish it distinctly understood that in recording my vote as in favor of the passage of this order I am simply putting my own interpretation upon it — that we wish information as to how this new hureau is progressing and that we are not in any way criticising Mr. Ernst or the new Bureau of Research.

Coun. CURLEY—Mr. President, I would simply say to Coun. Hale that the order as drafted recognizes the fact that the Bureau of Research is subordinate to the Finance Commission and works under the commission. The order as drafted asks the Finance Commission for the information. Now there is one specific fact that is a matter of common knowledge in this city, and that is that while $5,000 was expended for the investigation of the School Department and while $5,000 is given to Mr. Ernst for his work in connection with the Bureau, the School Department shows an increase of $304,000 in expenditures more than a year ago, with seventy-one less pupils, and that there is no recommendation in regard to the matter from the Bureau of Research or the Finance Commission. It seems to me that is something that should he answered hy either the Bureau of Research or the Finance Commission, and I trust that the order will pass.

Coun. HALE—Mr. President, just one more word on this question of the School Committee, I am sorry to say that I have not been ahle to find the record, but my recollection is that the $5,000 we appropriated for the investigation of the School Committee was in no way connected with the order for the establishment of the Bureau of Municipal Research. They were distinct matters. One was that $5,000 should he expended by the Finance Commission. I understand the reason why more progress has not been made in the school investigation is hecause one of the memhers is sick — and nohody understands hetter than Coun. Curley how sickness lays you up. But I understand that the investigation is under way and will he completed, although I don't know when. I do understand that they are using due diligence to get the thing done. I don't see that that has anything to do with the Bureau of Municipal Research hecause it was not understood, I think, that this Bureau of Municipal Research should have anything to do with the School Department.

Coun. SMITH—Mr. President, it seems to me rather unfair for Coun. Curley to come in and ask for information for himself personally. If the rest of us needed the information we would he glad to support the order, hut personally some of the rest of us do not see fit to ask what suhordinates are doing and what they are drawing their salaries for, I see no more reason why such questions should be asked in this case than in any other case. Mr. Curley can very easily get that information hy going personally and asking for it. If he wishes to find out what Mr. Ernst's duties are he can find out at the office of the commission, and there is no reason why he should hother us with these matters in open meeting. I sincerely hope the order will not pass. We have just as much right to inquire what any suhordinate's duties are and why he should draw his salary in the case of subordinates of any other department as in the case of Mr. Ernst.

Coun. KENNY—Mr. President, I move to strike out the words "and for what legitimate reason or reasons he draws money from the City of Boston," so that the order will read: "Ordered, That the Finance Commission be requested to inform the City Council at its earliest convenience as to the duties of Mr. George A. O. Ernst, one of its employees."

Coun. CURLEY—Mr. President, I sympathize with a sick investigator. I realize how unfortunate it is for any person in authority in any of the city departments that this gentleman should have heen taken sick. It is a very unfortunate circumstance, and in all prohahility if he continues to he ill for the next five years the report will he delayed. But in that case is there any need of Mr. Ernst drawing his $5,000 a year? I regret sincerely that my distinguished friend from the Back Bay should question my right as a member of the Council to ask for information. I would remind him that I was elected a memher of the City Council at large in this city, elected to represent the entire city, the nearly 700,000 men, women and children of the city. They are interested in the schools. Everyone is interested in our schools. The just pride of Boston is in her educational opportunities and in her institutions of learning. Certainly we are interested, and interested vitally, in all that pertains to the welfare of the children who attend those schools. I do not feel that this is an unreasonahle request to make. I ask why it is that $304,000 more money is required to run the schools of the city with seventy-one less pupils than in the preceding year. That seems to be a reasonahle request. I appreciate the position that Mr. Smith takes in questioning my right to discuss that particular proposition.

Coun. SMITH—Mr. President, may I ask Coun. Curley whether he is suggesting an amendment to his original order?

Coun. CURLEY—Mr. President, if I felt that order was improperly drawn I would have drawn it differently. But having drawn it to my own satisfaction I cannot conceive of any good reason why it should be amended,—and apparently up to the present time my distinguished colleague on the other side of the Chamber has not seen any good reason himself why it should he amended. However, the light may hreak on him before we get through discussing the proposition, and he may suggest many amendments. There is, however, but one amendment hefore us at the present time, and I propose to discuss that amendment. With relation to the amendment suhmitted by the gentleman on the other side of the Chamber (Coun. Kenny) I don't feel that those words should he stricken out. I suppose if I approved of striking out those words the order would he passed as originally presented, hut I don't feel, in justice to myself, that I should permit the occasion to go hy without discussing this particular amendment as presented by the gentleman on the other side of the Chamher. I contend that there can he no legitimate reason for any man receiving a salary of $5,000 a year from the City of Boston—and it is a fairly suhstantial salary—unless he achieves results in his particular department. If it had heen possible to conduct the School Department, in consequence of the work of the Finance Commission and of the Bureau of Research, for $304,000 less in the last fiscal year than in the preceding year, with less pupils or even with more pupils, I should say that Mr. Ernst was entitled to many times more than $5,000. But the fact remains that it has cost $304,000 more to conduct the schools during the last year, after an investigation covering nearly a year, in spite of the sickness of one of the investigators, and $5,000 during that interval has heen paid to Mr. Ernst as chairman of this particular department, the Bureau of Research, and $5,000 has heen expended directly by the Finance Commission in addition to such other expenditures as they might make, in consequence of that research. The only thing they have been able to accomplish is that we find a deficit of $304,000 in that department, that $304,000 more has heen expended in the School Department in the last year with less pupils than was expended in the preceding year. Now, my idea of a Bureau of Research may differ from that of Mr. Ernst and from that of many other distinguished reformers in the community. I helieve such a bureau should devote its energies to big things. I do not believe they are justified, like the gound hog, in chasing mole hills, but that they should go after things of importance, that affect the city. Investigations might he made of some of the city departments that would show where, without discharging employees, they might save many thousands of dollars to the city. Then, we have a

$9,000 official whose office is at the top of this building, and there is the question of permitting him to conduct his own department without heing called hefore the investigating department and told that he can go home at a certain hour hut must be hack at work the next morning. Perhaps the hardest working public hody in this city at the present time is our Chamher of Commerce, and we all rejoice in the work they are doing. It is a good work and a necessary work and is going to be fruitful of results. Now, on account of the attitude of the Finance Commission, the Commissioner of Puhlie Works, who receives $9,000 a year for accepting the advice of the Finance Commission, the memhers of the City Council, the 1915 Association and the various other municipal bodies, who is not permitted to devote the amount of time and energy that he should devote——

Coun. HALE—Mr. President, I rise to a point of order. What has the Boston Chamher of Commerce got to do with Mr. Ernst?

Coun. CURLEY—Mr. President, I shall lead up to that presently.

President COLLINS—The Chair would advise the Council that the only motion before the Counеil is Coun. Kenny's motion to amend.

Coun. CURLEY—Mr. President, I appreciate that, and I am trying to adhere to the proposition hefore us. The Finance Commission makes a recommendation to Mr. Rourke that he remain at home, instead of going to Europe, although as a consequence of his going to Europe, desiring to take with him the engineer of the Finance Commission for research work, the same work that Mr. Ernst is engaged in, we might find out what would be the hest method of spending two and one-half million dollars for sanitary improvements in connection with the incineration, destruction or disposal of refuse, garbage, etc.; and it might have some hearing on the expenditure recently made hy the City of Boston of $300,000 for lighting purposes. I contend that Mr. Ernst and the Finance Commission might he hetter employed than in advising a gentleman of reputation as an engineer, whom we have gone down to Panama to get to come here hecause of his great reputation. In spite of that reputation and in spite of the large salary we pay him we do not permit him to run his own department. We allow the Finance Commission to advise him and allow the research hodies to advise him,—and even the female organization, together with the several other organizations whose membership is furnished largely from out of town. In consequence of all this advice he has not a chance to perform his duty as he would like to do. My point is this, that Mr. Ernst has not accomplished results as chairman of the Bureau of Research. If he has not accomplished results, then the expenditure for his salary has not heen hased upon any legitimate reason. He has not received a salary for any legitimate reason, hecause he has not accomplished results. If, as my friend Hale suggests, he has reported directly to the Finance Commission, it is not unreasonahle to suppose that the Finance Commission would submit the report of the Research Bureau to this Council. But we have not received any such report or reports. Consequently, all we know is that we are appropriating a certain sum of money each year for a research hureau, which is supposed to be for the purpose of collecting certain information, and we get no information, no eommunication. No communication and no information in regard to any matter of inquiry is heing received from Mr. Ernst. I helieve a proper work for a research hureau that has a reason for existence, and has a legitimate right to draw its salary regularly, is the examination into the business methods in city departments that will result in such economy as will hring ahout a reduction in the tax rate and in the debt of the city. In consequence of the research work that has heen done we have not had a reduction in our tax rate or in the net debt of the city, hut have had an increase of $304,000 for the conduct of one department. If that is the situation, then I am opposed to the amendment as suhmitted hy Coun. Kenny.

Coun. SMITH—Mr. President, of course I shall be glad to vote for an order calling for a statement as to an expenditure of an increased amount of money by the School Committee. But that, of course, is in no way contained in the present order. All discussion of that is out of point. Coming hack to the original order, I can see no reason why we should investigate one employee of one city department any more than we should any other employee of any other city department. Therefore I hope this amendment will not he adopted, as this information can he found by any person wishing it from the proper department. But to take up the time of the Council investigating the duties of one employee of one department is, it seems to me, entirely out of place.

Coun. CURLEY—Mr. President, I regret greatly that my friend Smith on the other side of the Chamher regards the expenditure of an additional $304,000 of the city's money in the same light that the average citizen might regard thirteen cents of Chinese money. It is something that I personally would like some information ahout. Every citizen of Boston wants to know ahout that $304,000 increase in the conduct of the School Department, and they are entitled to have the information. They pay taxes for the conduct of the School Department, for its running expenses, and they are entitled to information in regard to that increase. After an investigation covering a year no information has been sent broadcast to the citizens as to the reason for the increase.

Coun. SMITH—Mr. President, again I should like to ask Coun. Curley whether he is suggesting an amendment to this order in addition to the inquiry about Mr. Ernst,— making, in addition, an inquiry as to the expenditures of money hy the School Department. If he is not, of course his arguments on this suhject are not in point.

Coun. KENNY—Mr. President, it seems to me the Congressman from the Tenth District should have reserved his criticism until after he had ohtained this information . He offers a very severe criticism of the incumbent of the office and then calls for information. I propose to vote in favor of my amendment, hecause if the order is going to pass this Council I should like to see it pass in proper form. But when the order, after the adoption of the amendment,— if the amendment is adopted,— comes hefore the Council, I shall vote against the order as well.

Coun. CURLEY—Mr. President, I would say in answer to Coun. Kenny that my criticism is in no sense so severe as the criticism of Doctor Leen himself. Doctor Leen says that an inventory of all school property should he taken, and it has not heen done. He said, "There must he leaks that should he stopped up." Why, if there are leaks, does not the Research Bureau stop those leaks? Why, in face of such an investigation, should it have cost $304,000 more to run the School Department this year than last year? That is the whole story.

Coun. KENNY—Mr. President, it seems to me if my friend from Ward 17 desires to inquire into this matter he should do so. He is reading from a newspaper report, which may or may not he true. We are not passing on that. I should think he would himself go and make his own investigation and then, if he wishes, offer his resolution,— perhaps something similar to the resolution he offered a while ago in regard to the Bar Association. Let the matter he investigated, let him investigate it himself. Let him refer it to some committee of which he is chairman. It seems to me that this is not offered in good faith, that this is merely an attempt to give the member of Congress from the Tenth District a chance to air his sarcasm at the expense of one of the hoards of the government. I do not helieve the order is offered in good faith, so I shall vote ultimately against it. But I shall vote first for my amendment.

Coun. CURLEY—Mr. President, I do not feel— and I say it in all sincerity— that Coun. Kenny questions the veracity of an article that appeared six days ago relating to Boston citizens, in a reputahle newspaper like the Boston *Post*, and that has not since been denied. I do not feel that he questions in any degree the veracity of any statement contained therein. I do not helieve he does. The fact remains that the particular work, so far as I have heen ahle to ascertain, of the Bureau of Research is to find out in regard to such questions as whether a teamster was driving a team or doing lahoring work. It has not heen its practice to look into large operations which should he matters of research, and the investigation into which might result in material benefit to the city.

Coun. KENNY—Mr. President, I do not even now see how anything is going to he gained along the lines just indicated hy passing this resolution. The memher from Ward 17 refers to an interview with Doctor Leen, which sets forth Doctor Leen's strictures on somehody else. But as I understand the purport of the resolution it is to ascertain what the duties are of one of the incumbents of an office under the Finance Commission. I do not quite see the eonnection. If the member desires some

inquiry made into the subject matter which Doctor Leen is discussing, that is one thing. But he does not. He is merely now throwing out some insinuations that some one is not earning his salary. I don't quite see what that has to do with Doctor Leen's charges. Therefore, as I have stated, I trust that ultimately the resolution will he defeated.

Coun. CURLEY—Mr. President, I have no desire to prolong the discussion, hut I have stated specifically from the start my position in regard to this matter, and Coun. Kenny persistently—and I do not question his sincerity at all— refuses to see my position. I have stated that $5,000 was expended for an investigation of the School Department; that $5,000 additional was expended for the maintenance of the Bureau of Research; that no report has been submitted to the City Council or to any other hody, as far as we are aware, and certainly no report relative to a change in administration that would result in a reduction of the running expenses of the School Department; that, on the contrary, they have increased their expenses in that department some $304,000 in the last year over the preceding year, with seventy-one fewer pupils; further, that Doctor Leen, a memher of the School Committee, said, in a puhlic interview, that there are leaks in the School Department and that they should he stopped. Now, my contention has been that we should look into this matter and that we have a right to know something about it. I suppose if the Superintendent of Public Buildings were given an appropriation of $10,000 to put an addition onto some one of the city's huildings and did not put it on, the Finance Commission would speedily investigate to find out what had become of that $10,000. Now, then, if $10,000 was appropriated and spent for an investigation of the administration of the School Department, and in consequence of that expenditure the cost of maintenance of the School Department has increased $304,000 in one year, instead of being reduced, certainly we want to know what became of that $10,000, and we are justified in asking the question. I think it is a perfectly legitimate and proper request.

Coun. KENNY'S amendment, to strike out the words "and for what legitimate reason or reasons he draws money from the City of Boston" was defeated by a rising vote, 4 to 4.

The question came on the passage of the order as offered by Coun. Curley, and Coun. BALLANTYNE called for the yeas and nays.

The order was rejected, yeas 3, nays 6.

Yeas—Coun. Buckley, Curley, Hale—3.

Nays—Coun. Attridge, Ballantyne, Collins, Kenny, McDonald, Smith—6.

Coun. CURLEY—Mr. President, I move a reconsideration of the vote just taken, hoping the same will prevail. On the question of reconsideration I desire to say that I believe it is the duty of some of the members who have voted against this order to present some order that probably will be couched in language less offensive to the reform element in the community, but that may be the means of securing for the puhlic of Boston the information to which they are entitled. On the question of reconsideration, there is very little I can add to what has been said. The fact remains——

Coun. SMITH—Mr. President, may I ask the councilor a question?

Coun. CURLEY—Mr. President, it is useless to attempt to answer questions asked hy the gentleman. I shall not yield. The fact remains that the public are entitled to this information. There has been $304,000 increase in the expenses of the conduct of one city department. If $30,000 increase took place in the Collector's office every man in the office would be on the grill and would have to testify under oath before the Finance Commission. If there were an increase of $30,000 for the lahorers in any hranch of the Street Department, every suhforeman, foreman, inspector and timekeeper would he on the grill before the Finance Commission and would be compelled to answer under oath. But this is one of the sacred institutions where the increase has occurred—the School Department—and it should not he investigated! Now, if $304,000 has been squandered in the School Department, with seventy-one pupils less than in the preceding year, it is a reasonahle assumption, based on the position of the memhers of this Board this afternoon, that there is collusion hetween Mr. Ernst, the Finance Commission and those in charge of the School Department, and that they will not brook investigation and do not dare to invite investigation. On the question of reconsideration I want to say that the puhlic of Boston are entitled to this information. They should have it. If there has heen any irregularity in the conduct of the School Department, it should become puhlic property. We have heard rumors and we hear them every day ahout collusion in the matter of purchase of school furniture, in the matter of the purchase of school furnishings, and of everything else connected with the conduct of the schools, and an investigation covering a period of a year has not disclosed a single irregularity. Why? If there were an investigation of the Collector's office covering a period of one week, every newspaper in Boston on Sunday morning would receive advance copies of the report of the Finance Commission—even hefore the City Council, a hody that would be expected to receive such reports, had received them. The same would be the case if there were an investigation made of a branch of the Street Department. But this is the School Committee! It does not matter whether they spend half a million dollars or a million dollars more. They are a sacred institution; they are a part of the great Good Government organization; they are a part of the Public School Association. We must protect them, and they are protected hy the votes of this Board.

Coun. KENNY—Mr. President, I fail to see yet what this is all ahout. The School Department is a separate hranch of the government. It is made so hy statute. The administration of the schools of Boston is in the hands of the Boston School Committee, elected hy the people of Boston. What right has the City Council of Boston to investigate the School Committee?

Coun. CURLEY—Mr. President, if the gentleman will yield——

Coun. KENNY—Certainly.

Coun. CURLEY—I have not asked that the City Council investigate the School Department. The gentleman is an attorney. He should realize the language in which the order is couched. It does not ask for any investigation of the School Department. It simply asks information from the Finance Commission, and if the City Council had not appropriated $5,000 for this particular investigation perhaps we would not he justified in asking.

President COLLINS—The gentleman is yielding for a question.

Coun. KENNY—Mr. President, the gentleman arose in his place and addressed the Council and made a very severe attack upon the administration of the schools. That was the purport of the reason he advanced for offering the order, and that was my understanding of his argument—that he was attacking the administration of the schools and the expenditure of the school money. Now, it is true that at one time it was suggested that the appropriation for the Finance Commission be increased in order that they might select some official to make some inquiry, some investigation into the school administration, and, so far as I am advised, they have done so. It is the right of the memher from Ward 17 to go to the Finance Commission and satisfy himself as to what was done in consequence of that order passed by the City Council appropriating money and creating the bureau itself. Now he comes in here and is criticising a particular official. I don't think that that criticism was intended in good faith. As I have already said, it was first preceded hy a very severe attack hy the speaker upon a certain individual. Then he, with more enthusiasm than I have seen him show since he returned to us, entered into a very severe attack upon the conduct of the schools. I say again that it is not the duty of the Boston City Council to attack the Boston School Board of the administration of the schools. That department is a separate branch of the government, created under statute, and entitled to a certain portion of the tax levy, regardless of what our feelings may be in the matter. I don't think really the gentleman has helped his order any by his last effort.

Coun. CURLEY—Mr. President, I have too much respect for the understanding of Coun. Kenny and his training as an attorney to think he is sincere in what he has just said. If he is sincere he must he exceedingly dense, and I don't think he is. I have not called for an investigation hy the City Council of the Boston School Department. But if I did introduce such an order I would be acting perfectly within my rights. The money expended for the conduct of the School Department is raised by taxation. It is the money of the Boston taxpayers. We are here as their representatives, acting as members of the City Council. If this

$304,000 that was expended was my personal money, then I would be justified in going to the Finance Commission and asking that information for my personal benefit. But it is not my money alone. It is the money of every taxpayer of Boston. They are entitled to that information, and unless you honestly believe there is not something rotten in Denmark you cannot deny them that information.

Coun. KENNY—Mr. President, the City Council of Boston has no more right to investigate the Boston School Committee than the Boston School Committee has to investigate the City Council. Under authority of law they have an equal standing with us.

Coun. CURLEY—Mr. President, if the gentleman will yield, I was going to ask Mr. Kenny to define under what section of the charter the City Council waives any of its rights with relation to the expenditure of the city's money by any city department?

Coun. KENNY—Mr. President, I was going on to say that by operation of law the Boston School Board is entitled to a certain portion of the tax levy of the City of Boston, and the City Council cannot by its action deprive the School Committee of the right to appropriate and spend that money. It is a portion of the tax levy. They have the same right, when it is determined how much money shall be set apart for school purposes and when that money is set apart, to appropriate money for school purposes that we have to appropriate money on requisition of the Mayor. Therefore, I say again, although the gentleman's order does not call for an investigation of the schools,—I am well aware of that,—that his argument this afternoon is a criticism of the conduct of the schools; and I say again that this body has no right to inquire into the administration of the Boston schools.

Coun. SMITH—Mr. President, of course we are now talking of reconsidering our action and are really not debating the Boston school situation. While it is always a pleasure in this patient body to listen to the oratory of Coun. Curley—especially during a thunder storm, when all the elements yield their quota as a background—nevertheless, would it not answer his purposes just as well if his remarks were written out and given to the papers? Personally we can all find out about Mr. Ernst's duties if we wish to do so. But I would remind the gentleman that we were to give a railway hearing here, which we have advertised, at four o'clock, that it is now five o'clock, and that people interested in that hearing are waiting to be heard. While we are all spellbound by the oratory of the gentleman, still we would like to have him cut it short.

Coun. HALE—Mr. President, I shall vote for Coun. Curley's motion to reconsider for the same reason that I voted for the original order. It is merely a request for information with regard to this particular bureau which we asked the Finance Commission to create a year ago. Necessarily there is no implication that we have no confidence in Mr. Ernst. If the order had simply gone through without anything being said, I do not feel that there would be any implication of that kind. Certainly there is no such implication in my mind in voting for the order. We can have a reply from the Finance Commission. Personally I believe the Bureau of Municipal Research has done good work, and if we get a reply to that effect and it appears in the records, probably everybody will be satisfied. For that reason I shall vote for reconsideration now.

The motion to reconsider was lost by a rising vote, 3 to 5.

PURCHASE OF LIGHTING EQUIPMENT.

President COLLINS called up special assignment, viz.:

5. Resolved, That in the opinion of the City Council the city's interests require the prompt purchase and installation of the gas lamps provided for by the loan order for $300,000; and the purchase and installation of suitable automatic lighting and extinguishing devices as rapidly as experience with said devices shall warrant.

Passed.

LAND TRANSFER, WARD 21.

President COLLINS called up past assignment, viz.:

6. Ordered, That the care and custody of that strip of tree-planted land lying on the east side of Elm Hill avenue, between Schuyler street and Seaver street, Ward 21, be transferred from the Public Works Department to the Superintendent of Public Grounds.

Passed.

CITY PLANNING.

Coun. HALE called up special assignment, viz.:

Ordered, That his Honor the Mayor be requested, in the name and behalf of the City of Boston, to extend an invitation for the holding of the City Planning Conference for the year 1912 in the City of Boston.

Passed.

BOSTON PLANNING COMMISSION.

Coun. HALE offered the following:

City of Boston.

In the year Nineteen Hundred and Eleven.

An Ordinance establishing a Boston Planning Commission.

Be it ordained by the City Council of Boston, as follows:

Section 1. That there shall be appointed by the Mayor a commission or board to consist of five persons selected as follows: one from three proposed by Boston–1915; one from three proposed by the Boston Chamber of Commerce; one from three proposed by the Boston Society of Architects; one from three proposed by the United Improvement Association; and one who shall be the chairman of said commission from three proposed by the foregoing four members of the commission. The commissioners so appointed shall constitute a commission for the purposes hereinafter stated, which shall be known as the Boston Planning Commission. At its first meeting said commission, with the exception of the chairman, shall by any method it deems fit, divide itself into two groups, the first of which groups shall go out of office at the end of three years and the second at the end of four years. The chairman shall go out of office at the end of five years. Thereafter the terms of all the commissioners shall be five years. Appointments shall be made to vacancies in the commission in the same manner as was made the appointment of the commission whose place becomes vacant. The persons appointed as commissioners shall be fitted either by professional education, or by training, or by experience in the conduct of business, to exercise sound judgment in the matters intrusted to them, and to give to the Mayor and City Council competent advice as to the proper order and cost of public improvements and the expenditures of public funds thereon. The chairman shall receive a salary of $5,000 per year; the other members shall serve without compensation. The commissioners shall have authority to employ recognized experts in city planning at such compensation within the limits of the budget approved by the Mayor and Council as the commission may deem proper. The commission shall have authority to employ such assistance as it deems necessary in the making of maps, plans, and estimates of costs hereinafter provided.

Sect. 2. The subjects which said commission is to consider and upon which it shall from time to time give advice and information accompanied by such maps, plans, and estimates of cost, as it deems necessary, shall be as follows: Such developments and improvements in the City of Boston as have to do with the structural and sanitary safety of buildings and kindred matters usually included under the head of building laws; the prevention and relief of congestion of population and traffic; the control of fire hazard; the proper distribution of buildings for purposes of residence, manufacturing, trade and transportation; the beautification of the city, the preservation of its natural and historic features; the extension of water supply and of sewerage disposal; the preservation, development and management of lands and buildings for public uses; the co-ordination of transportation, whether of passengers or freight, and whether by railroads, railways, highways, or water; the development of the water front; and the distribution of telephone, gas, electric light and other public utilities, and such other matters as may properly be understood to come within the scope of city planning. In considering these subjects, special attention shall be paid to such improvements as require the expenditure of money by the Mayor and City Council, such as for example the erection of public buildings of all kinds; the

purchase of new parks and playgrounds; the improvement of old parks and playgrounds; the development of a sewer system; the construction of new streets; the rearrangement of old streets; the development of a high pressure fire system; and the destruction or reduction of waste. This enumeration shall not be construed to exclude the consideration of other matters properly within the jurisdiction of the commission. The commissioners shall consider these various subjects in co-operation, when necessary, with similar bodies in other cities and towns in the metropolitan district, and in the metropolitan district itself, and shall also take into consideration plans proposed by private individuals and business organizations in the city.

Sect. 3. The commission shall annually on or before the third Wednesday of October in each year make a report to the Mayor and City Council of its proceedings up to and including the thirtieth day of September preceding embodying therein specific recommendations for improvements to be made during the ensuing year with estimates of the cost of the same, and with such plans and maps as may be needed for the proper presentation of its conclusions. In making these specific recommendations the commission shall take into consideration the amount of money available within the debt limit for the particular year; shall recommend the methods of executing and paying for such improvements as it may suggest; and shall state which, if any, of its recommendations shall involve an expenditure of money outside the debt limit. The commission may issue from time to time such other reports as it may deem advisable.

Sect. 4. The salaries and expenses of said Boston Planning Commission shall be paid by the City of Boston.

Sect. 5. This ordinance shall take effect upon its passage.

Coun. HALE—Mr. President, I would like to say just a word in regard to this ordinance. My purpose in introducing it is substantially to provide for a commission that shall make plans for the development of the city. We shall thereby have a chance to make a broad, systematic plan of development and will be able to spend the city's money for the development of the city along intelligent lines. We spend a great deal of money in a haphazard way,—and in saying this I am not referring to this Council but to past city governments which have done that more particularly. Much of the money that has been spent has really been wasted. My purpose is to get a commission that will formulate a broad plan which can be followed. This bill provides for a combination of experts in city planning with representatives of popular bodies like the Chamber of Commerce, so that we will not get on one hand the report of experts who do not understand local conditions and will not get on the other hand the opinion alone of men who do understand local conditions but who do not understand about city planning. My second purpose is to combine the preparation of these plans with the work of experts and boards having the spending power. Heretofore we have had in Boston commissions who have made recommendations and reports which have simply been filed away and that has been the end of them. They have been in libraries but nobody has read them or has known anything about them, and so far as practical results are concerned they have been deadwood. This ordinance provides that each year this commission shall make special recommendations to the spending power, the Mayor and City Council, with reference to certain definite improvements to be made in the ensuing year, some idea of the probable cost of those improvements being given and the reasons why the work should be done and the money should be spent. In this way I think we will get rid of a lot of deadwood reports and will combine the work of men who understand the situation and who know what should be done with the work of the bodies having the spending power. I think the time will come, if this ordinance is passed, when it will mean a great advance for the city.

Referred to the Committee on Ordinances.

In connection with the above, Coun. KENNY submitted the following letter which he had received, and on his motion it was ordered placed on the records:

Office of the City Solicitor,
Philadelphia, June 2, 1911.

Thomas J. Kenny, Esq.,
28 State Street, Boston, Mass.:

My dear Sir,—I have your letter of May 24 in regard to the holding of the conference on city planning in Philadelphia.

Two organizations of individuals, namely, the City Parks Association and the Fairmount Park Art Association, invited the conference to Philadelphia and agreed to appropriate $250 each for its expenses. Thereafter Mayor Reyburn formally invited the conference in the name of the city of Philadelphia to meet here. The conference accepted these invitations, and thereupon Mayor Reyburn secured an appropriation to hold an exhibition of city planning at the same time that the conference met. This exhibition was altogether a city affair with which the conference as an organization had nothing whatever to do. Of course, the fact that many members of the conference are men who have been doing city planning work enabled the assembling of the material for the exhibition easier than it otherwise would have been. The Mayor also agreed to secure the expenses of some individuals from abroad whom it was desired to have attend the conference. Two of them accepted his invitation and they were paid $250 each toward their expenses.

The cost of the exhibition so far has been in the neighborhood of $12,000, but, as you know, the City of Boston itself expended $1,500 in sending its own exhibition and the city of Chicago has spent as much in addition to the sum paid toward the exhibition of that exhibit by the city. Owing to the city planning exhibition that is being held in Dresden now, and will be held all summer, it was impossible to get as much of the foreign city planning as we would liked to have had. This would probably have added upwards of $10,000 if we could have gotten it.

The Mayor appointed a number of the city officials as hosts of the conference, and he also asked a number of organizations to act as hosts and to appoint their president and one other as their representatives. This was done. I inclose herewith a description of the tour, which gives the names of these different officials and organizations. Four or five organizations, such as the University of Pennsylvania, Society of Colonial Dames, etc., gave receptions to the conference, the cost of which was of course borne by the particular organization.

If you wish any further information please command me.

Very truly yours,
ANDREW WRIGHT CRAWFORN,
Assistant City Solicitor.

SYSTEM OF ASSESSING NEW YORK CITY.

Coun. SMITH offered an order—That the Finance Commission be requested to investigate and report to the City Council, at its earliest convenience, as to the system of assessing in the city of New York.

Coun. SMITH—Mr. President, my reason for introducing this order is because some time ago I asked the Finance Commission to investigate the Somers system, so called, under which Cleveland, Columbus, Denver, East St. Louis, Springfield, Illinois and Joliet are now assessed. I have found since then that the system of assessing in the city of New York is much the same as the Somers system. The matter has been discussed informally by men interested in municipal affairs here in town, and has been taken up now by the Boston *Common*. It seems to me a report by the Finance Commission on one of these systems without also taking into account the other would be only a partial report. The two systems are very much alike, except that one is a little more elastic than the other. Either system would do away in large measure with the faultfinding that now exists with regard to assessments here. For that reason I think an investigation into this system can very well be joined with an inquiry into the Somers system by the Finance Commission.

Coun. BUCKLEY—Mr. President, there are so few members present at this time that I move reference of the order to the Executive Committee.

The order was referred to the Executive Committee.

ROPING OFF OF PLAYGROUND.

Coun. SMITH offered an order—That the City Messenger be authorized to rope off the Perkins Street Playground, Ward 22, for athletic games by the Acme Athletic Club, on Saturday, June 17, 1911, between the hours of 9 a. m. and 12 o'clock

noon; the expense attending the same to be charged to the appropriation for Mayor, Public Celebrations, June Seventeenth.
Passed.

PRINTING OF RAILWAY LEASES.

Coun. SMITH offered an order—That the various leases made hy the City of Boston to the Boston Elevated Railway Company and now in force be printed in a separate city document, expense attending same to he charged to the appropriation for city documents.
Coun. SMITH—Mr. President, my reason for offering this order is hecause there is hefore the Legislature now a measure to extend the leases of the Boston Elevated Railway. This is perhaps one of the most important measures that will come before us this year, as there is a referendum on the bill, referring the matter to the City Council. It is for that reason that I have asked that these leases be printed in a city document for our hetter information. It seems to me we cannot prepare ourselves on this matter any too soon.
The order was passed.

REMOVAL OF TREES.

Coun. BUCKLEY offered an order—That the Board of Street Commissioners he requested to remove tree in front of estate No. 1658 Dorchester avenue, Ward 24, as location of said tree in sidewalk hinders building operations.
Passed.
President COLLINS offered an order—That the Board of Street Commissioners he requested to remove a tree in front of the estate No. 147 Pleasant street, Ward 20, as the same is in a very unsafe condition.
Passed.

RECESS.

The Council voted, on motion of Coun. KENNY, at 5.21 p. m., to take a recess subject to the call of the Chair.
The members reassembled in the Chamber and were called to order hy President COLLINS at 6.56 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, suhmitted the following:
(1) Reports on petitions (severally referred today) for permits for children under fifteen years of age to appear at various places of amusement—that permits he granted, viz.:
Eleonora A. Holhrook, for children to appear at Pilgrim Hall, June 19.
Mrs. Amy T. Rawson, for children to appear at Steinert Hall, evening of June 27.
Rev. Thomas F. White, S. J., for children to appear at St. Mary's School Hall, June 12.
Edith Guerrier, for children to appear at Industrial School Hall, June 12.
Reports accepted; permits granted on the usual conditions.
(2) Report on messages and communications relative to street lighting (referred May 1, May 22, April 10, May 1)—that the same he placed on file.
Report accepted; said communications placed on file.
(3) Reports on orders, messages, etc.—that the same ought to pass, viz.:
Order (referred to-day) that the Finance Commission investigate and report to the City Council as to the system of assessing in the city of New York.
Report accepted; order passed.
Order (referred April 10) that the Finance Commission investigate hids in regard to wardroom, Ward 8.
Report accepted; order passed.
Message, communication and order (referred today) transferring the sum of $17,810 from the Reserve Fund to the appropriation for Puhlic Buildings Department.
Report accepted; order passed, yeas 8, nays 0.
Message and order (referred to-day) that the revenue received from the estate of the late Quincy A. Shaw be appropriated as a part of and added to the Reserve Fund.
Report accepted; order passed, yeas 8, nays 0.
Message and order (referred to-day) that the sum of $1,250 he transferred from the appropriation for County of Suffolk buildings to be expended for hot water apparatus in the Registry of Deeds.
Report accepted; order passed, yeas 7, nays 0.
Message, communications and order (referred to-day) relative to payment of pensions, under the authority of chapter 113 of the Acts of 1911, for James Martin and Patrick Dacey, employees in the Water Service of the Sewer and Water Division of the Department of Public Works.
Report accepted; order passed.
Message, communication and order (referred today) that in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer the sum of $2,500 from the appropriation for the Health Department to the appropriation for County of Suffolk, Medical Examination.
Report accepted; order passed, yeas 8, nays 0.
Message, communication and order (referred today) that under the provisions of chapter 261 of the Acts of 1893 the City Auditor he, and herehy is, authorized to transfer the sum of $564 from the appropriation for Reserve Fund to the appropriation for Northern Avenue and Sleeper Street.
Report accepted; order passed, yeas 8, nays 0.
Message and order (referred to-day) that the mortuary at North Grove street and the mortuary at the Boston City Hospital are hereby designated as the two mortuaries and that the one on North Grove street now used as a morgue he transferred from the Board of Health to the custody and control of the Medical Examiner, Suffolk County, Northern District, and that this transfer take effect July 1, 1911.
Report accepted; order passed.
Message, communication and order (referred today) that $2,000 be transferred from the appropriation for Neponset Bridge, Rehuilding, to the appropriation for Dover Street.
Report accepted; order passed, yeas 8, nays 0.
Order (referred May 31) that an annuity he paid to the widow of Michael J. Coyne.
Report accepted; order passed, yeas 8, nays 0.
(4) Reports on various papers—that the same be placed on file, viz.:
City planning conference (referred May 15) to be held in Boston in 1912.
Order (referred February 13) relative to appointment of policeman.
Communication (referred May 1) from Corporation Counsel relative to authority to set aside yearly appropriation for an insurance fund.
Message of Mayor, communication and order (referred to-day) that new bids be asked for on the disposal of the city's garbage and refuse.
Accepted.
Reports on petitions and orders—that no action is necessary, viz.:
Message, communication and order (referred today) that an annuity he paid to the widow of Michael J. Coyne.
Message and communication (referred May 22), for hot water service in the Registry of Deeds.
Order (referred May 31) relative to sale of Charlestown City Hall.
Reports accepted.
(5) Reports on petitions (severally referred today) for sidewalks—recommending the passage of orders directing the Commissioner of Public Works to make sidewalks along the following named streets, in front of the hereinafter named estates, said sidewalks to be from 3 to 10 inches ahove the gutter adjoining, to be from 5 to 12 feet in width, and to be built as hereinafter specified, viz.:

Gravel with Granite Edgestone.

Baker Congregational Church, Saratoga and Byron streets, Ward 1.
N. W. Rohinson, 70 Grampian way, Ward 20.
Florentine A. Walters, 990–998 Dorchester avenue, Ward 20.

Brick.

Amory A. Lawrence *et al.*, trustees, West street, southwest corner of Mason street, Ward 7.
Edric Eldridge *et al.*, 39–43 Lochstead avenue, Ward 22.
W. J. Packard, 259 Friend street, Ward 8.
Snider & Rudnick, 204 Hemenway street and Bryant street, Ward 11.
A. J. Rudnick, 574–586 Newbury street, Ward 11.
W. J. Maguire, 44–48 Ivy street, Ward 11.

E. W. Pitman Company, 49–65 Lansdowne street, Ward 11.
Philip R. Hovey, trustee, 30–70 Cummington street, Ward 11.
George A. Mitten, 15 Leyland street, Ward 16.
Peter E. Walsh, 150 Stanwood street, Ward 20.
E. P. Day, 152 Stanwood street, Ward 20.
Peter J. Brady, 18 Hinckley street, Ward 20.
Samuel Simons, 211 Quincy street, Ward 20.
William Duff, 143–145 Pleasant street, Ward 20.
James H. Waldron, 98 Saxton street, Ward 20.
Margaret R. Simmonds, Topliff street and Geneva avenue, Ward 20.
Henry Green, 76–80 Holworthy street, Ward 21.
Benjamin Snider, 131 Crawford street, Ward 21.
Patrick Cox, 16 Devon street, Ward 21.
Joseph Segal, corner Blue Hill avenue and Sunderland street, Ward 21.
Jane C. Lannon, 1952–1954 Centre street, Ward 23.
P. O'Hearn, 1648–1650 Dorchester avenue, Ward 24.
Reports severally accepted; orders passed.

THANKS TO AVIATOR ATWOOD.

President COLLINS offered the following:
Resolved, That the thanks of the City Council be extended to Mr. Harry Atwood for his aerial flight in Dorchester on June 10 last, as his skill and daring were appreciated by the people of Dorchester, and his unselfish exhibition added greatly to the enjoyment of Dorchester Day.
Ordered, That the City Clerk send a copy of this resolution to Mr. Atwood.
Unanimously adopted.

SOLDIERS' RELIEF.

Coun. HALE, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of June.
Report accepted; order passed.

GENERAL RECONSIDERATION.

On motion of Coun. CURLEY the Board refused reconsideration of all action taken to-day.

THE NEXT MEETING.

Coun. CURLEY—Mr. President, I move that when the Board adjourns it be to meet one week from Monday next.
Coun. SMITH—Mr. President, I think some of us are going on vacations—I personally am not, but some are,—and that it might be well to get some matters out of the way. I think it would be better for us to meet a week from to-day than two weeks from to-day.
Coun. CURLEY—Mr. President, I anticipated that there would be an objection by Coun. Smith on this ground, and I would suggest, if agreeable to the members, that when the Board adjourns it be to meet Thursday of this week, when we can dispose of the North End Bath and such matters as are pending, and we can then adjourn to the 26th. I understand that the Mayor goes abroad on the 27th and that there will be no occasion for us to have meetings for a while after that time. That will give us two days to clean things up.
Coun. SMITH—There are a good many matters before committees and that will hardly give us time to call the committees together and act upon the things before them. I should rather make it next Monday, the time for the regular meeting.
Coun. BALLANTYNE—Mr. President, my reason for favoring adjournment for two weeks is this, that our President wishes to take a little vacation, I understand, and the Mayor is going away on the 27th so that the President will not be able to get any vacation after that time. I think that we ought to consider our President and see that he gets a few days' vacation. That is my reason for favoring adjournment to a week from next Monday.
Coun. SMITH—Mr. President, I withdraw my objection.
The Council voted, on motion of Coun. CURLEY, that when it adjourns it be to meet on Monday, June 26, at 3 p. m.

Adjourned, on motion of Coun. CURLEY, at 7.08 p. m., to meet on Monday, June 26, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Friday, June 16, 1911.

Special meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair. Absent—Coun. Kenny.

The Clerk read the call for the meeting, as follows:

City of Boston,
Office of the Mayor, June 16, 1911.

To the Members of the City Council:

You are hereby requested to assemble in the City Council Chamber, City Hall, on Friday, June 16, at three o'clock, for the purpose of considering the repeal of an ordinance abolishing the Consumptives' Hospital Department and transferring its powers and duties to the Board of Health and for the transaction of such other business as may properly come before the meeting.

Yours respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

CONSOLIDATION OF DEPARTMENTS.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1911.

To the City Council:

On Februarv 13, 1911, I recommended the passage of an ordinance abolishing the Consumptives' Hospital Department and transferring its powers and duties to the Board of Health. The draft which accompanied my message was referred to the Committee on Ordinances and, not having been rejected or adopted within the period of sixty days prescribed by section 2 of chapter 486 of the Acts of 1909, presumably became operative at the end of that period. No notice, however, was given to the heads of the departments concerned or to other city officials, and the Consumptives' Hospital Department has continued to exercise the powers and perform the duties conferred upon it by chapter 4 of the Ordinances of 1906.

As the original draft was not dated, the date having been left blank for subsequent insertion, there is some question whether the provisions of chapter 486 apply in this case, or whether, in other words, an undated ordinance becomes immediately operative upon the expiration of the sixty-day period.

Moreover, since my recommendation was made several bills have been presented and considered at the Legislature which might affect the control of the city over tuberculous patients. Four such bills, namely, Senate bills numbered 84, 85, 89 and 556, are now either in the committee or before one of the two houses of the Legislature. Measures more radical than any contained in these bills, such as the complete transfer of the work of the Consumptives' Hospital Department to the state, have been proposed, and this transfer, which is by no means impossible, could be most conveniently made if the accounts and activities of the hospital were kept entirely distinct and not involved with those of another department. If it is deemed desirable that the consolidation should be carried into effect the matter can be taken up again at a later date.

Under the circumstances, therefore, I recommend the passage of the accompanying ordinance, repealing the ordinance recommended in my message of February 13, 1911.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston.
In the Year Nineteen Hundred and Eleven.
An Ordinance.

Be it ordained by the City Council of Boston, as follows:

That an ordinance abolishing the Consumptives' Hospital Department and transferring its powers and duties to the Board of Health, recommended in a message of his Honor the Mayor, dated February 13, 1911, filed with the City Clerk on that date, and rendered operative by the failure of the City Council to adopt or reject it within the prescribed period of sixty days thereafter, be and hereby is repealed.

Coun. HALE—Mr. President, I would like to ask whether there is any provision in connection with this to ratify the acts done by the Consumptives' Hospital Trustees.

President COLLINS—The Chair would state that there is no provision for the ratification of any acts of the Consumptives' Hospital Department since the sixty days have expired.

Coun. HALE—If you think it advisable I would present an amendment covering that. I think it is rather important.

President COLLINS—The Chair will accept any amendment that is offered.

The communication and ordinance were referred to the Executive Committee.

RECESS TAKEN.

The Council voted at 3.40 p. m., on motion of Coun. HALE, to take a recess subject to the call of the President.

The members reassembled in the Chamber and were called to order at 4.45 p. m.

SEWERAGE WORKS, CHARLES RIVER BASIN.

The following was received:

City of Boston,
Office of the Mayor, June 16, 1911.

To the City Council:

Among the bills presented on my petition to the General Court during the present session was one designed to limit the amount of the loan made mandatory under chapter 485 of the Acts of 1907 for a separate system of drainage within the watershed of the Charles River Basin. Under the provisions of that act it was necessary for the city to borrow about seven hundred thousand dollars ($700,000) this year, but the engineers of the Department of Public Works have estimated that the sum of three hundred and ninety-five thousand dollars ($395,000) was about all that could be expended to advantage and that it would be preferable to use the borrowing capacity of the city for an increase of the regular sewerage loan. The bill, which is House Bill No. 1295, has not yet been passed, and rather than permit any delay, which I am assured by the Commissioner of Public Works is extremely detrimental to the efficiency of the work itself, I desire to recommend the immediate passage of the accompanying order, which provides for a loan to the amount of three hundred and ninety-five thousand dollars ($395,000), which is substantially the limit set in the bill.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That the sum of three hundred ninety-five thousand dollars ($395,000) be appropriated for the construction of sewerage works within the watershed of the Charles River Basin, being a portion of the amount required by chapter 485 of the Acts of 1907, and that the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds of the City of Boston to said amount for said purpose.

Coun. McDONALD—I move that the rule be suspended and that the order may take its first reading to-day.

Coun. BALLANTYNE—Mr. President, I very much dislike to take matters out of the hands of the Committee on Finance, and, as I understand, a similar order is in the hands of that committee at present. This seems to be an urgent matter and his Honor has explained to the Council to-day that early in July the department will be without funds

to prosecute this work, and that if it is left over to the next regular meeting on June 26 there will not he time to give the ordinance its second reading before the summer adjournment. For that reason I favor the first reading of the ordinance.

President COLLINS—The Chair will state that no communication is being taken out of the hands of the Committee on Finance. This is a new order.

Coun. BALLANTYNE—I so understand—that this is an order similar to the one in their hands.

Coun. SMITH—May I ask what will become of the order in the hands of the Committee on Finance?

President COLLINS—The Committee on Finance will meet and dispose of that order some time within sixty days from the date it was filed with the City Clerk. The Chair will state that that is an order which will become operative in sixty days if not acted on.

The rule was suspended and the order was read once and passed, yeas 7, nays 0.

EXECUTIVE COMMITTEE REPORT.

Coun. ATTRIDGE, for the Executive Committee, submitted a report on message of Mayor and ordinance (referred to-day) abolishing the Consumptives' Hospital Department and transferring its powers and duties to the Board of Health—recommending the passage of ordinance in following new draft:

City of Boston.
In the Year Nineteen Hundred and Eleven.

Be it ordained by the City Council of Boston as follows:

Section 1. That an ordinance abolishing the Consumptives' Hospital Department and transferring its powers and duties to the Board of Health, recommended in a message of his Honor the Mayor, dated February 13, 1911, filed with the City Clerk on that date, and rendered operative by the failure of the City Council to adopt or reject it within the prescribed period of sixty days thereafter, be and hereby is repealed.

Sect. 2. Chapter four of the Ordinances of 1906, and chapter four of the Ordinances of 1909, if repealed by ordinance filed February 13, 1911, are hereby re-enacted.

Report accepted; said ordinance passed.

TIME EXPIRATION OF LOAN ORDERS, ETC.

Coun. ATTRIDGE offered an order—That the City Clerk be requested to have printed on the calendar prepared for the meetings of the City Council a list of the ordinances and loan orders which may become effective under section 2 of chapter 486 of the Acts of 1909, together with the date when each may so go into effect.

Passed.

CLOSING OF STREETS JULY 4.

Coun. BALLANTYNE offered an order—That the City Messenger rope off such streets as the Police Commissioner may require on July 4, 1911, in connection with the parade and celebration that day, the expense attending the same to he charged to the appropriation for City Council, Incidental Expenses.

Passed.

Coun. BALLANTYNE offered an order—That the Police Commissioner be authorized to close to travel by vehicles, except fire, police, hospital and mail wagons, such streets as may be required on July 4, 1911, in connection with the parade and celebration of Independence Day.

Passed.

ANNUITY FOR MRS. BURKE.

Coun. McDONALD offered an order—That chapter 530 of the Acts of 1911, entitled "An Act to Authorize the City of Boston to Pay an Annuity to the Widow of Patrick Burke," be and the same is hereby accepted.

Referred to the Executive Committee.

RELEASE OF LAND.

Coun. CURLEY called up No. 1, unfinished business, viz.:

(1) Message of Mayor, communications and order providing for the release and conveyance of a strip of land extending from Norfolk avenue to Massachusetts avenue to the trustees of Boston College.

The order was read once and passed, yeas 9, nays 0, on May 31.

The order was given its final reading and passed, yeas 7, nays 0.

BRANCH LIBRARIES.

Coun. ATTRIDGE, for the Committee on Branch Libraries, submitted the following:

(1) Report on petition of Germantown Citizens Association (referred May 22) for branch library delivery station in Germantown—recommending reference of same to Library Trustees for a report as to expediency and cost of same.

Report accepted; said reference ordered.

(2) Report on petition of South Cove Improvement Association (referred April 17) for hearing in relation to library accommodations in the South Cove district—that no further action is necessary.

Accepted.

(3) Reports on messages of Mayor and communications relative to libraries—that the same be placed on file, viz.:

Message of Mayor and communication (referred June 13) relative to cost of branch library at Savin Hill.

Message of Mayor and communication (referred May 31) relative to branch libraries.

Reports accepted; said papers placed on file.

COLLECTION OF RAGS.

Coun. BUCKLEY offered an order—That the Board of Health, through his Honor the Mayor, be requested to adopt such order or regulation as will result in a discontinuance of the prevailing custom of permitting the collection of rags and paper on inland dumps, as the collection, storage and sale of the same is injurious to public health.

Passed.

ADDITIONAL APPROPRIATION, NINTH REGIMENT ANNIVERSARY.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1911.

To the City Council:

The preliminary estimate for an appropriation for the celebration of the Fiftieth Anniversary of the Ninth Regiment, M. V. M., was expected to cover the cost of the decorations and the music. It was found necessary, however, to employ the services of more than one hand for a considerable portion of the day and this, together with a slight excess in the expenditure for decorations, necessitates the addition of two hundred dollars ($200) to the original amount. I recommend, therefore, the passage of the accompanying order, transferring the sum of two hundred dollars ($200) from the Reserve Fund to the appropriation for Mayor, Public Celebrations.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of two hundred dollars ($200) additional from the appropriation for Reserve Fund to the appropriation for Mayor, Public Celebrations, to be expended for the celebration of the fiftieth anniversary of the Ninth Regiment, M. V. M.

Passed, yeas 7, nays 0.

GENERAL RECONSIDERATION.

Coun. BALLANTYNE moved general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 4.55 p. m., on motion of Coun. BALLANTYNE, to meet on June 26 at three o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, June 20, 1911.

Special meeting of the City Council, held in the Council Chamber, City Hall, at 2.30 o'clock p. m., for the purpose of drawing jurors, President COLLINS in the chair and a quorum present.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894, viz.:

Twenty-two grand jurors, Superior Criminal Court, to appear July 3, 1911:

Gus L. Levy, Ward 10; William H. Emerson, Ward 25; Robert J. Lyttle, Ward 22; Joseph J. Foley, Ward 11; Charles Gane, Ward 25; Charles A. Carr, Ward 9; Charles L. Long, Ward 1; Walter Westwood, Ward 21; Edward Gory, Ward 20; Patrick J. Foy, Ward 20; Edwin C. Whittemore, Ward 20; George E. Putnam, Ward 20; Michael Kirby, Ward 24; J. Arthur Balderson, Ward 11; Frank McAlevy, Ward 19; Carl Treiber, Ward 20; Robert E. Noonan, Ward 23; John B. Clifford, Ward 13; Edward F. Maher, Ward 22; John H. Harrington, Ward 3; Charles J. Boyden, Ward 20; Charles W. Johnson, Ward 14.

Forty-one traverse jurors, Superior Criminal Court, to appear July 5, 1911:

Walter H. Ricker, Ward 7; Charles W. Warnock, Ward 20; John W. Knowles, Ward 20; Roger Mansfield, Ward 20; John J. Cowan, Ward 15; Lawrence Duffy, Ward 12; William S. Wells, Ward 1; Frank M. Lynch, Ward 21; Charles E. L'Heureux, Ward 18; Charles S. Cook, Ward 25; George A. Libby, Ward 19; Christopher F. Skelley, Ward 20; Charles F. Kraus, Ward 20; William Bambery, Ward 4; Robert H. Thompson, Ward 23; Matthias Gillis, Ward 1; Daniel P. McMahon, Ward 3; Charles G. Bird, Ward 11; James J. White, Ward 3; Michael W. O'Brien, Ward 18; Benjamin F. Atwood, Ward 18; William H. Driscoll, Ward 2; William F. Leach, Ward 20; Louis F. Pennie, Ward 19; Lee C. Hascall, Ward 10; William H. Butler, Ward 17; George P. Flanagan, Ward 13; Theodor P. Stern, Ward 24; Mason H. Grower, Ward 25; Arthur F. Burnett, Ward 10; Robert J. Rodday, Ward 21; Arthur D. Roome, Ward 1; Eugene J. Fay, Ward 5; George A. Hammond, Ward 17; Charles A. Lind, Ward 20; William Connelly, Ward 3; Edward Gardner, Ward 1; Eugene Smith, Ward 18; Frank B. Conlin, Ward 20; Charles J. Messinger, Ward 14; Fred H. Whitten, Ward 16.

Adjourned at 2.41 o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 26, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair, and all the members present.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

REMOVAL OF CONSTABLES.

The following was received:

City of Boston,
Office of the Mayor, June 23, 1911.

To the City Council:

You are hereby notified that I have this day removed Patrick J. Collins, Edward Cresswell, Alton L. Goueher, George A. Hagerty, William F. Swain, Thomas E. McKenna, Daniel R. O'Lalor, David Schapero and Richard White from the office of constable of the City of Boston for the reason that they have not filed the bond which constables are required under the law to furnish

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

RESIGNATION OF CONSTABLES.

The following was received:

City of Boston,
Office of the Mayor, June 23, 1911.

To the City Council:

You are hereby notified that I have this day accepted the resignations of Alexander J. Douglass, Edward J. Holland, Michael A. Kenney and Thomas A. Matthews from the office of constable of the City of Boston.

Respectfully
JOHN F. FITZGERALD, Mayor.

Placed on file.

APPOINTMENT BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

Subject to confirmation by your honorable body, I hereby appoint Charles B. MeMaekin (239 Bunker Hill street, Ward 4) a Weigher of Coal and a Measurer of Wood and Bark for the term ending April 30, 1912.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Laid over under the law.

DOMESTIC BUILDING, CONSUMPTIVES' HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1911.

To the City Council:

For the reason given in the accompanying communication from the chairman of the Consumptives' Hospital Department, I recommend the passage of an order transferring the sum of $2,500 from the appropriation for "Completion of Second Ward" to the appropriation for "Domestic Building."

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Consumptives' Hospital,
June 13, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—I respectfully request the transfer of $2,500 from the unexpended balance of "Completion of Second Ward" account to the "Domestic Building" account. This transfer is asked to help pay for the refrigeration plant, the appropriation for the domestic building not being sufficient for this purpose.

Yours very truly,
EDWARD F. McSWEENEY, Chairman.

—

Ordered, That the City Auditor be and hereby is authorized to transfer the sum of $2,500 from the appropriation for Consumptives' Hospital Department, Completion of Second Ward, to the appropriation for Consumptives' Hospital Department, Domestic Building.

Referred to the Executive Committee.

COURTHOUSE, ETC., EAST BOSTON.

The following was received:

City of Boston,
Office of the Mayor, June 16, 1911.

To the City Council:

I beg to transmit a communication from the Superintendent of Public Buildings, calling attention to the need of an additional appropriation of sixty thousand dollars ($60,000) for the purchase of a site and the erection of a new building for a courthouse and police station in East Boston. The first loan for this purpose, amounting to eighty thousand dollars ($80,000), was approved by Mayor Hibbard on May 6, 1909. The sum in hand, according to the auditor's bulletin of June 1, 1911, is one hundred and two thousand dollars ($102,000). The matter has been pending so long, the need of improved accommodations is so obvious, and the demands of the citizens of East Boston so insistent, that I have drafted the accompanying loan order, appropriating the additional sum of sixty thousand dollars ($60,000) named by the Superintendent of Public Buildings in his tentative estimate, and recommend it for immediate passage by your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Public Buildings Department, June 16, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—I desire to call your attention to the fact that in the matter of providing a new building for a courthouse and police station in East Boston, an additional appropriation of at least sixty thousand ($60,000) dollars will be required.

This estimate is a tentative one as the site for the new building has not as yet been definitely settled on. I respectfully suggest that the above be submitted to the City Council with the request that the amount be appropriated and added to the present appropriation for the building.

Yours respectfully,
M. J. FISH,
Superintendent of Public Buildings.

—

Ordered, That the sum of sixty thousand dollars ($60,000) be and hereby is appropriated, to be added to the appropriation for East Boston Courthouse and Police Station, and that to meet said appropriation the City Treasurer be authorized, with the approval of the Mayor, to issue bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

PRINCE STREET PLAYGROUND IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, June 22, 1911.

To the City Council:

I beg to transmit a letter from the chairman of the Board of Park Commissioners, requesting an appropriation of three thousand dollars ($3.000) for the completion of certain improvements on the Prince Street Playground. The need for this money is set forth in two letters from the chairman, under date of December 23 and 31, 1910, respectively, submitted to your honorable body at its meeting of January 16, 1911. While no appropriation was made in response to my recommendation at that time, about three thousand dollars ($3,000), derived partly from the maintenance appropriation of the

department and partly from the unexpended balance of a special appropriation, was expended upon this improvement.

I believe that the work is necessary in order that the people of the district may receive the greatest benefit from this playground, and recommend the order attached hereto, transferring the sum of three thousand dollars ($3,000) from the appropriation for Reserve Fund to a special appropriation for Prince Street Playground Improvements.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Board of Commissioners of the
Department of Parks,
June 19, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—You will remember that a contract was made by us and approved by you for improving the Prince Street Playground and that as the funds were not sufficient to complete this work some of the materials were to be placed in storage for use this spring, when an additional appropriation was assured to us. The necessary appropriation ($3,000) is on the amended list of May 19, 1911, now before you and the City Council and awaiting your approval and the appropriations. Meanwhile the work is stopped and the contractors object to storing the materials for this prolonged period. If you can obtain this small appropriation for us it would relieve an annoying situation.

Yours very truly,
ROBERT S. PEABODY, Chairman.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of three thousand dollars ($3,000) from the appropriation for Reserve Fund to a special appropriation, to be expended under the direction of the Park Commissioners for Prince Street Playground Improvements.

Referred to the Executive Committee.

FREMONT AVENUE PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, June 22, 1911.

To the City Council:

The accompanying letter from the chairman of the Board of Park Commissioners offers an opportunity of the sort which, in my opinion, should be improved without hesitation. The commissioners have discovered a small unimproved lot on Fremont and Dayton avenues, near Mall street, Roxbury, which they believe would make an ideal neighborhood playground. The assessed valuation of the lot is two thousand six hundred dollars ($2,600), but the commissioners believe that it can be obtained for one thousand dollars ($1,000) less. With an appropriation of five thousand dollars ($5,000) they estimate that it could be converted into a very useful little retreat for mothers and small children. I recommend, therefore, the passage of the accompanying order, transferring the sum of five thousand dollars ($5,000) from the Reserve Fund to a special appropriation for Fremont Avenue Playground.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Board of Commissioners of the
Department of Parks,
Office at Pine Bank, Olmsted Park,
Jamaica Plain, Mass., June 6, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston, Mass.:

Dear Sir,—A small piece of land (about 5,133 square feet) has been offered to the Park Department as suitable for a children's playground. It is an unimproved lot at the end of Fremont and Dayton avenues and near Mall street. It is back land and surrounded by tenement and other houses and the lot is very small, but it is in a very thickly settled neighborhood and there are no playgrounds large or small nearby. The assessed valuation of the plot is $2,600. The price named is $1,000, but we are inclined to think a more modest offer would purchase it. This seems like a good chance to get a useful little playground for a small sum, but it would also be necessary to grade and fence and plant, etc. If we could have $5,000 for the entire improvement we think a very useful little retreat for mothers and little children could be made of it. Could any money be appropriated to this purpose and could we be authorized to make an offer for the land?

Yours very truly,
ROBERT S. PEABODY, Chairman.

—

City of Boston,
Board of Commissioners of the
Department of Parks,
Office at Pine Bank, Olmsted Park,
Jamaica Plain, Mass., June 14, 1911.

Hon. John F. Fitzgerald, Mayor,
City Hall, Boston, Mass.:

Dear Sir,—I acknowledge receipt of Mr. Leahy's note of June 9 regarding the purchase of the unimproved lot at the end of Fremont and Dayton avenues. Mr. Leahy's note says that you recommend our purchasing the property from the maintenance fund and that you will make it good at the end of the year if there is a deficit, providing the sum is not more than $1,000. The price of the lot is $1,000. We very likely can get it for something less, but whatever reduction in price we could get would not put it in any useful condition nor plant it nor care for it. Our needs are so great in proportion to our appropriation for maintenance that we are convinced that we ought not to cut into the maintenance appropriations for these expenditures. We think that we ought to see our way to taking care of the property before entering upon its possession. Could you not obtain through the Council the sum that would be necessary not only to buy the lot but to set it in condition? In my previous note I suggested $5,000 as the total sum needed. If we buy the lot for $1,000 or less the rest of the money, or about $4,000, we wanted to put it in good condition. Of course, less money could be spent for that purpose.

We hope you will see your way to making it possible for us to have in hand some sum larger than $1,000, and in fact anywhere between that and $5,000, so that without trespassing on our maintenance fund we can not only purchase but improve the land and make it useful.

Yours truly,
ROBERT S. PEABODY, Chairman.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of three thousand dollars ($3,000) from the appropriation for Reserve Fund to a special appropriation for Fremont Avenue Playground, to be expended under the direction of the Board of Park Commissioners.

Referred to the Executive Committee.

PARKMAN MEMORIAL BANDSTAND.

The following was received:

City of Boston,
Office of the Mayor, June 22, 1911.

To the City Council:

I beg to transmit two letters, one from the Chairman of the Music Department, under date of June 9, 1911, and the other from the Superintendent of Public Grounds, under date of June 16, 1911. The former contains the bids submitted in response to an advertisement for the construction of the Parkman Memorial Bandstand, according to the plans prepared by Messrs Derby, Robinson and Shepard, the successful competitors in a contest among architects for the best design. As the letter states, the lowest of the bids far exceeds the amount set aside for the construction of this stand, which, according to the letter of the Superintendent of Public Grounds, was twenty-five thousand dollars ($25,000). The excess, as estimated by Superintendent Sullivan, amounts to twenty-one thousand fifteen dollars and forty-four cents ($21,015.44).

While the results of the advertisement are somewhat disappointing, in that the original estimate was far below the actual cost, I have no doubt that your honorable body, through its Parkman Fund Committee, will vote to grant the amount which is necessary. This pavilion is in a peculiar sense a monument to Mr. Parkman, standing as it will in a conspicuous location on the park beside which he lived, and ministering to the pleasure of hundreds of thousands of music lovers. The model from which the stand will be built has been much admired and I believe that parsimony in such a case,

leading as it must to the use of poorer materials and the impoverishment of the general effect, would be a discourtesy to the memory of one of the greatest benefactors of the city in recent years.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston.
Music Department, June 8, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir—The bids for the construction of the Parkman Memorial Bandstand on Boston Common were opened at the office of the Public Grounds Department, East Cottage street, Dorchester, on June 8, 1911, at 12 m.

Of the eleven bids received, each far exceeded the stated appropriation of $20,000 set aside for the construction. The firms bidding, with the respective figures, are herewith submitted. The matter of awarding the contract has been taken under advisement, awaiting further suggestions from you in this matter.

George A. Fuller Company	$45,846 00
Knickerbocker Stone Company	49,200 00
William L Morris & Co	59,473 00
Woodbury & Leighton Company	44,636 00
A. Piotti	49,614 00
Conners Brothers Company	46,500 00
John A. Rooney	48,425 00
Norcross Brothers Company	51,950 00
Central Building Company (Edward F. Miner)	53,925 00
W. H. Keyes Company	55,189 00
William Crane	42,794 00

Respectfully submitted,
WILLIAM C. BROOKS, Chairman.

—

City of Boston.
Public Grounds Department,
June 16, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir—Bids for the erection of a Parkman Memorial Bandstand on Boston Common were opened at this office on Monday, June 12. Copy of the bids received have been mailed to your office.

At a former conference of the Music and Art Commission and this department it was decided that the cost of such a bandstand would not exceed $25,000. As you will note, the lowest bidder is very much in excess of this amount.

I have been in touch with the architects and obtained the following figures which give an idea of the approximate total cost of the proposed bandstand if the contract is awarded to the present lowest bidder.

Lowest bid	$42,794 00
Architect's commission	2,576 64
Clerk of the works, sixteen weeks	400 00
Cost of model	244 80
Total cost	$46,015 44

If it is your intention that the present design shall be carried out in accordance with specifications a further appropriation is necessary before the work can be undertaken. On the other hand, if on consideration you decide to call for new bids, to be within the estimated amount of $25,000, it must be borne in mind that the results will not be as satisfactory, as the present design would suffer in the event.

I would recommend that the bandstand be erected from the drawings submitted, and an additional appropriation from the Parkman Fund of $21,015.44 be made to cover the total cost.

Respectfully yours,
D. H. SULLIVAN, Superintendent.

Referred to the Committee on Parkman Fund.

REPAIRS AT FERRY.

The following was received:

City of Boston,
Office of the Mayor, June 21, 1911.

To the City Council:

I beg to transmit for consideration by your honorable body the inclosed statement from the Commissioner of Public Works, together with statements and estimates as to the need of repairs upon several of the piers of the ferry landings, and the desirability of installing water service to protect the North Ferry coal pocket against fire.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Works Department,
City Hall, June 15, 1911.

To the Honorable the Mayor:

Inclosed please find report of Division Engineer Fay in regard to the condition of the piers at the ferry landings. This work should undoubtedly be attended to, and it is simply a question whether you wish to advocate a loan for doing the work or whether you wish us to provide for this work from our Public Works Department appropriation.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

City of Boston,
Public Works Department,
Bridge and Ferry Division,
June 9, 1911.

Mr. L. K. Rourke,
Commissioner of Public Works:

Dear Sir,—Several of the piers at the ferry landings are in very poor condition and should be rebuilt as soon as practicable. Their condition is such that accidents to boats and passengers are liable to occur at any time owing to decayed and loose timbers falling upon the boats. Furthermore, there is danger that some of the piers will be broken by the boats to such extent as to render certain slips useless, thereby seriously hampering the ferry service. In my opinion an appropriation of fifty-two thousand (52,000) dollars should be made for rebuilding ferry piers and wharves and to install water service to protect the North Ferry coal pocket against fire.

As the structures thus rebuilt should last for approximately twenty years their cost might properly be paid for by a loan.

A detailed estimate of this work is submitted herewith under the heading "Estimated Cost of Permanent Improvements."

Respectfully,
FREDERIC H. FAY,
Division Engineer.

—

EAST BOSTON FERRIES.

Estimated Cost of Permanent Improvements.

North Ferry, Boston side:	
The north pier is in poor condition and entering boats have difficulty in landing owing to spread of pier at the inshore end. This pier could be improved for $1,500 and might last a couple of years longer, but for good work it should be rebuilt.	
Estimated cost	$7,000 00
The middle pier has been repaired several times; the ends are in poor condition; the head leans too far to the south; the middle part is in fair condition, having some good and some poor piles. The pier should be rebuilt.	
Estimated cost	11,000 00
The southerly pier is in poor condition, the head is free from the main pier, four-fifths of the upper girders are broken, the main piles are too rotten to hold new girders and many of the rear piles are loose. The pier should be rebuilt.	
Estimated cost	9,500 00
North Ferry, East Boston side:	
The outer end of the north pier is badly broken and should be rebuilt at once. The piles at the inshore end are in poor condition and for good work this end should also be rebuilt.	
Estimated cost	4,000 00
The outer end of the middle pier should be rebuilt.	
Estimated cost	1,500 00
South Ferry, Boston side:	
The head of the north pier is free from the main pier and the piling is in very poor condition. The pier should be rebuilt as well as the narrow wharf on the southerly side of the drop.	
Estimated cost	12,000 00

South Ferry, East Boston side:

The piling of the hospital dock is in very poor condition and should be rebuilt, and the outer end of the adjoining wharf should also be rebuilt.	
Estimated cost	$2,500 00
The wharf south of the ferry belonging to the B. & M. R. R. over which the city has the right of way and which is used exclusively by the Ferry Service for coaling up the coal pocket is in very poor condition and for safety should be rebuilt in part.	
Estimated cost	2,000 00
Portions of wharf adjoining southerly landing should be rebuilt and storehouses raised.	
Estimated cost	2,000 00
Coal pocket, North Ferry, fire protection.	
Estimated cost, about	500 00
Total	$52,000 00

Referred to the Committee on Finance.

PROBATION OFFICER, ROXBURY.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

On June 16, 1911, I vetoed the order passed by your honorable body at its meeting of May 31, 1911, providing an appropriation of one thousand eight hundred dollars ($1,800) for the purpose of adding an extra probation officer at the Municipal Court of the Roxbury district. My reasons for doing so were set forth in the accompanying message. Since then representations have been made to me by the justice of the court and I am convinced that your order providing the necessary appropriation was a reasonable one. I recommend therefore that your original order be passed again, and if this is done will be pleased to attach my signature to it. The correspondence from Justice Williams, with an inclosure from the probation officer of the Roxbury Court, is appended hereto for your information.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Municipal Court, Roxbury District,
Boston, June 22, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,— In accordance with your suggestion I inclose herein for consideration a new order establishing the salary of the male assistant probation officer of the Municipal Court of the Roxbury district of the City of Boston, authorized by chapter 116 of the Acts of the Legislature of 1911.

I also inclose a report made to me by the probation officer of this court showing the increase of criminal business and of the probation work of this court the past five years.

The need of this male assistant probation officer is very urgent. In fact without him the probation work of this court will be greatly impaired and we will be unable to comply with the recommendations of the probation commission that probation officers should visit their probationers at least once a month, which is a very necessary requirement for efficient probation work.

Thanking you for your careful consideration of this matter, I am,

Respectfully yours,
A. NATHAN WILLIAMS,
Justice of said Court.

Municipal Court, Roxbury District,
Boston, June 22, 1911.

The Honorable the Mayor and the City Council of the City of Boston sitting as County Commissioners of the County of Suffolk:

On April 20, 1911, by authority conferred by chapter 116 of the Acts of Legislature of 1911, I appointed Ulysses G. Varney, of Boston, male assistant probation officer of the Municipal Court of the Roxbury district of the City of Boston, and subject to your approval I have fixed his salary at $1,800 per year, payable in equal monthly payments, beginning with April 20, 1911.

Respectfully yours,
A. NATHAN WILLIAMS,
Justice of said Court.

June 17, 1911.

To His Honor A. Nathan Williams,
Justice of the Roxbury Municipal Court:

I respectfully submit the following figures, showing the increase in probation work in the Roxbury Court during the past six years.

YEAR.	Number of Drunks.	Number of Cases in Court.	Probation Cases.
1905	2,851	5,488	397
1906	3,209	5,795	455
1907	3,470	5,785	678
1908	3,517	6,397	766
1909	3,916	6,775	885
1910	4,085	7,076	1,319

Below will be found the amount of money collected by the probation officers from various sources:

October 1, 1908, to October 1, 1909, nonsupport, $3,677.71; suspended sentences, $1,369.40; restitution, $124.74; total for year, $5,181.75. October 1, 1909, to October 1, 1910, nonsupport, $9,239.77; suspended sentences, $3,549.50; restitution, $573.97; total for year, $13,363.24.

From June 1, 1910, to June 1, 1911, the following sums of money were collected by the probation officer of this office alone, irrespective of the women's department and the juvenile department:

Nonsupport, $11,024.51; suspended sentences, $3,311.70; restitution, $135.48; total, $14,471.69.

The approximate population of the Roxbury district in 1905 was 135,434.

The approximate population of the Roxbury district in 1910 was 156,914.

Respectfully submitted,
JOSEPH H. KEEN.

The message was referred by the President to the Committee on County Accounts.

Coun. BALLANTYNE—May I speak, in consideration of this order, in favor of a suspension of the rules? I understand his Honor the Mayor is anxious to sign this order before he leaves to-morrow.

President COLLINS—The Chair will state that there is no order accompanying the message. Accordingly, if the member desires hasty action on this it may be referred to the Executive Committee.

Coun. BALLANTYNE—I move a reconsideration of the reference made and move that it be referred to the Executive Committee.

A vote was taken on the question of reconsideration, and the Chair, being in doubt, called for a rising vote, whereupon, it appearing that five voted in the affirmative, the Chair declared that reconsideration prevailed.

President COLLINS—The question comes on reference to the Executive Committee. If there is no objection it will be referred.

Coun. BUCKLEY—It seems to me in a matter of that sort where the Mayor vetoes an order and then says other facts have come to his attention since he vetoed it, that the City Council ought to be made aware of those facts which have made him change his mind. It seems to me we should know whether the action is necessary. I think the Committee on County Accounts is the proper one to handle it.

Coun. BALLANTYNE—I have no desire to pass this order beyond the Committee on County Accounts except for the reason that his Honor the Mayor leaves to-morrow, and this probation officer has been working since April 20. I believe Judge Williams of the Roxbury Court called upon his Honor the Mayor a few days ago and explained the nature of the work done by the probation officers in the Roxbury Court and also the great amount of work transacted there compared with other courts in Massachusetts. I believe the Mayor was not aware that in the Roxbury district there are more cases tried and more people on pro-

bation than in any other court in Massachusetts, with the exception of the Boston Central Court. The Mayor was not informed of these facts in the first place. When they were made clear to him he was perfectly willing to approve the order and grant the extra probation officer.

Coun. BUCKLEY—I am very sorry that the people of Roxbury break the law so much that they have to be put on probation, but it seems to me in every court in the city there is as much work as in the Roxbury Court. In Charlestown the court has the reputation of doing more business, I think, than any district court in the state, not excepting Roxbury,—and the business is not done with residents of Charlestown but with residents of Malden, Somerville and the outlying towns where the good people live, who come into Charlestown and get drunk and are placed on probation. Not 15 per cent of the arrests are arrests of the inhabitants of the district. We get along with one probation officer there, and the people of Roxbury, it seems to me, should get along with the two they have, and don't need another.

Coun. BALLANTYNE—I would like to ask the member from Charlestown if he can tell me how many cases were tried last year in Charlestown.

Coun. BUCKLEY—I haven't that information right at hand, but I know that the Charlestown Court has been spoken of as doing more business than any other district court in the Commonwealth, next to the Central Court, of which Mr. Ballantyne also spoke. But I also want to impress upon the Council at this time that it is not the residents of Charlestown who are the offenders but the residents of the out-of-town sections, such as Malden, Somerville and Chelsea.

Coun. BALLANTYNE—I am informed by my brother from Charlestown that the number of cases tried in the Charlestown Court is about 5,000, and I want to inform these gentlemen that the number tried in the Roxbury Court last year was in the vicinity of 7,600, and there is only one court in Massachusetts that tries more cases, and that is the Boston Central Court, the Central Court of Worcester coming next. In Roxbury they have two probation officers at the present time—or rather one probation officer and an assistant. They ask for another assistant and I am sure they are much in need of him. I also wish to say, as my Brother Buckley did, that the cases tried in the Roxbury Court are not all Roxbury cases.

Coun. CURLEY—I was going to ask if they had not three at the present time. They have Mr. Reagan in charge of the juveniles, a lady in charge of the females, and Mr. Keen in charge of the males, so that there are three. I desire to make that correction, because they are all classed alike. When you say there are 7,600 cases you include the females. Certainly, then, you would have to include the female probation officers.

Coun. BALLANTYNE—Exactly.

The message stood referred to the Executive Committee.

RELEASE OF CITY RIGHTS.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I beg to transmit two letters from the Commissioner of Public Works, addressed to the Mayor and the City Council, respectively, with an accompanying order, the passage of which I recommend, authorizing me to release certain rights and easements as to the laying of sewers in a portion of a strip of land ten (10) feet wide, from Dudley street, at the corner of Brook avenue, easterly to tide water.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Works Department,
Boston, June 26, 1911.

To the Mayor:

Sir—In accordance with chapter 25, section 50, of the Revised Laws of Massachusetts, I inclose herewith a notice to the City Council that the rights and easements taken by the Board of Aldermen, approved by the Mayor March 26, 1872, in a portion of a strip of land 10 feet in width, "from Dudley street, at the corner of Brook avenue, eastwardly to tide water," for the purpose of laying a main drain or common sewer, and the sewer built therein, and now in my charge, are, in my opinion, no longer required for public purposes.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

City of Boston,
Public Works Department,
Boston, June 26, 1911.

To the City Council:

The Commissioner of Public Works, now having charge of a strip of land 10 feet in width, "from Dudley street, at the corner of Brook avenue, eastwardly to tide water," taken by the Board of Aldermen, approved by the Mayor March 26, 1872, for the purpose of laying a main drain or common sewer, and shown on a plan signed by W. H. Bradley, Superintendent of Sewers, dated February, 1872, and deposited in the office of the Public Works Department, Sewer and Water Division, Sewer Service, hereby notifies your honorable body that in his opinion the rights and easements in that portion of said strip of land lying eastwardly from Norfolk avenue, and the sewer built therein, are no longer required for public purposes, and requests that you will authorize his Honor the Mayor, in the name and behalf of the City of Boston, and in accordance with the provisions of chapter 25, section 50, of the Revised Laws of Massachusetts, to declare said rights and easements, and the sewer built therein, abandoned, said declaration of abandonment to be made for a nominal consideration.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

Whereas, The Board of Aldermen, by an order approved by the Mayor March 26, 1872, took a strip of land 10 feet in width, "from Dudley street, at the corner of Brook avenue, eastwardly to tide water," for the purpose of laying a main drain or common sewer; and

Whereas, The Commissioner of Public Works, now having charge of said land and easement, has notified the City Council that a portion of said land and easement is no longer required for public purposes; it is hereby

Ordered, That his Honor the Mayor be and he is hereby authorized, in the name and behalf of the city, and in accordance with the provisions of chapter 25, section 50, of the Revised Laws of Massachusetts, to declare the rights and easements so taken in that portion of said strip of land lying to the east of Norfolk avenue, as shown on a plan signed by W. H. Bradley, Superintendent of Sewers, dated February, 1872, and deposited in the office of the Public Works Department, Sewer and Water Division, Sewer Service, and the sewer built therein, to be abandoned, such declaration of abandonment to be made for a nominal consideration.

Referred to the Executive Committee.

PIER HEAD, MARINE PARK.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I am informed by the officials of the Park Department that with an additional appropriation of three thousand dollars ($3,000) the pier head at Marine Park can be put in a presentable condition. Its present aspect is deplorable and no use whatever can be made of it without an additional expenditure. I recommend, therefore, the transfer of three thousand dollars ($3,000) from the appropriation for Reserve Fund to the appropriation for Marine Park, Pier Head, Completion of.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of three thousand dollars ($3,000) from the appropriation for Reserve Fund to the appropriation for Marine Park, Pier Head, Completion of.

Referred to the Executive Committee.

BRANCH LIBRARY, CHARLESTOWN.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

At the meeting of your honorable body held May 22, 1911, I submitted an order consolidating the two appropriations for a branch library in Charlestown. No action has been taken as yet by the Committee on Branch Libraries, to which the message and accompanying order was referred. As the total amount now available, namely, thirty thousand dollars ($30,000), is obviously inadequate, I beg to recommend the accompanying order transferring an additional sum of thirty thousand dollars ($30,000) for this purpose.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of thirty thousand dollars ($30,000) from the appropriation for Reserve Fund to an appropriation for Branch Library, Charlestown.

Referred to the Committee on Branch Libraries.

NORTH END PIER.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

On May 15 I transmitted to your honorable body a letter from the chairman of the Bath Trustees pointing out the need of an additional appropriation for the completion of certain work upon the pier at North End Park, which was stated to be in a dangerous condition. A loan order adding $5,000 to the existing appropriation for this purpose was referred to the Committee on Finance, which, at the meeting of June 13, reported unfavorably upon it. In presenting the report of the committee, which was accepted by the City Council, the chairman stated that in the opinion of the committee this was a matter which should be taken up by the Executive Committee and charged to maintenance, rather than to negotiate a loan, one merely as to the form which the order should take, and as the need is urgent, I recommend the passage of the accompanying order transferring the sum of five thousand dollars ($5,000) from the Reserve Fund to the appropriation for North End Pier, Buildings, etc.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of five thousand dollars ($5,000) from the appropriation for Reserve Fund to the appropriation for North End Pier, Buildings, etc.

Referred to the Executive Committee.

TRANSFER FOR ENTERTAINMENT.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order, transferring the sum of fifteen hundred dollars ($1,500) from the Reserve Fund to the appropriation for Mayor, Office Expenses, etc., to be expended in entertaining the Seventh Annual Convention of the Associated Advertising Clubs of America, which will be held in Boston, August 1 to 4, 1911, inclusive. This is an extremely important gathering and I am given to understand that a citizens' committee has undertaken to raise $25,000 for their reception. In my opinion the city should cooperate so as to insure a suitable welcome to the delegates, who will attend from all parts of the Union.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of fifteen hundred dollars ($1,500) from the appropriation for Reserve Fund to the appropriation for Mayor, Office Expenses, etc.

Referred to the Executive Committee.

TUNNEL, JAMAICA PLAIN.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

In the letter of the secretary of the Street Laying-Out Department, dated May 10, 1911, and addressed to the Mayor, a suggestion advanced at the district meeting held in West Roxbury, February 16, 1911, by the Rev. George A. Lyons, that a tunnel be built under the railroad tracks between Boylston and Green streets, Jamaica Plain, was approved, and an estimate of the cost thereof offered in the following terms:

"This improvement will cost about $20,000. It would connect two large sections now divided by the railroad and would be of general public advantage. The Board recommends that it be done."

My opinion coincides with that of the Board of Street Commissioners, and I recommend the passage of the accompanying order transferring the sum designated above from the appropriation for Reserve Fund to a special appropriation for a tunnel between Boylston and Green streets, Jamaica Plain.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of twenty thousand dollars ($20,000) from the appropriation for Reserve Fund to a special appropriation, to be expended under the direction of the Commissioner of Public Works, for a tunnel under the railroad tracks between Boylston and Green streets, Jamaica Plain.

Referred to the Executive Committee.

CONVENIENCE STATIONS.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

The need of convenience stations in different parts of the city has been emphasized at the district meetings held in the early part of 1910 and 1911, in reports and recommendations from the Board of Health, and in communications from the executive director of Boston–1915, one of which, under date of May 5, 1911, is appended hereto. While the entire city cannot be covered in any one year, in view of the many demands for other improvements that are made upon the city authorities, I believe that we should begin this important work immediately and recommend the passage of the accompanying order, transferring the sum of fifty thousand dollars ($50,000) from the appropriation for Reserve Fund to a special appropriation to be expended under the direction of the Board of Health for convenience stations.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Boston-1915,
Headquarters, 6 Beacon Street,
May 5, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

My dear Mr. Mayor,—In sending the inclosed formal communication I venture to urge the immediate and pressing importance of the problem of convenience stations at crowded points in the city proper. I know you are fully in sympathy with the need for such stations, but perhaps you do not receive, as we do, testimony from so many different directions as to the crying demand for adequate accommodations in sections of the city now not taken care of.

The strongest argument that is presented is, of course, on the side of temperance. I have personal knowledge of a number of cases where men who had taken the pledge, being forced in the absence of other accommodations to make use of saloons, have been tempted back into habits of drinking.

But an almost equal demand comes from the great body of suhurhanites, especially women and children, who come into the city for the whole day, and who are seriously incommoded and are not infrequently made ill by having no puhlic conveniences of this sort, and not knowing where to go to find private accommodations.

Another type of request which has come in is from women employed in certain districts of the city, such as the market district, where private accommodations are entirely inadequate and where there is no public convenience station except, I believe, in Faneuil Hall.

The five stations which are advocated in the inclosed communication have been arrived at after very careful study of the problem, and we feel that were these to he huilt within the next year, in addition to that which, we understand, it is proposed to put upon the Park square end of the Common, they would fairly meet the most pressing needs of the situation, and would place Boston somewhere near the head of the procession in this matter of public decency, instead of heing, as it is now, practically at the rear.

Trusting that you will give this important matter your very serious consideration, I am, with high regard,

Yours very faithfully,
JAMES P. MUNROE.

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and herehy is authorized to transfer the sum of fifty thousand dollars ($50,000) from the appropriation for Reserve Fund to an appropriation to he expended under the direction of the Board of Health for convenience stations.

Referred to the Executive Committee.

PLAYGROUND, WARD 19.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

In my message of April 1, 1911, addressed to your honorable hody, I pointed out the necessity of an additional appropriation for playground accommodations in Ward 19, and stated that I should be heartily in favor of the expenditure of any reasonahle sum which would he required for this purpose. I have come to the conclusion that an additional expenditure of forty thousand dollars ($40,000) would be reasonable in view of the congested character of the district and the difficulty which has been experienced already in fixing upon a suitable site. I therefore recommend the passage of the accompanying order, appropriating this sum for playground accommodations in Ward 19.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of forty thousand dollars ($40,000) from the appropriation for Reserve Fund to an appropriation for Playground Accommodations in Ward 19.

Referred to the Executive Committee.

Coun. KENNY moved that the Council take a recess suhject to the call of the Chair, hut withdrew the motion at the suggestion of the President that there were other messages from the Mayor and that the motion would be entertained after they were disposed of.

TRANSFER TO WARD 7 PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I heg to recommend the passage of the accompanying order, transferring the balance of an appropriation for Playground, Wards 7, and 9, to the appropriation for Playground, Ward 7.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That under the provisions of Chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the balance of the appropriation for Playground, Wards 7 and 9, to the appropriation for Playground, Ward 7.

Referred to the Executive Committee.

IMPROVEMENTS AT DEER ISLAND.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1911.

To the City Council:

I beg to transmit a communication from the Penal Institutions Commissioner, calling attention to the need of a special appropriation amounting to forty-one thousand seven hundred dollars ($41,700) for repairs and improvements at the House of Correction on Deer Island, together with a report of a special examination by the Building Commissioner upon the condition of the present huilding at Deer Island, and copies of letters by Harrison H. Atwood, architect, and Frederic H. Fay, division engineer, relating to the condition of the hrick walls of the administration building and of the two city wharves, respectively.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Penal Institutions Department,
32 Tremont Street, June 13, 1911.

Mr. William A. Leahy,
Secretary to the Mayor:

Dear Sir,—On investigation and inquiry it is found that to properly conduct this department and to do necessary and permanent repairs in order to maintain our institution at the House of Correction at Deer Island it will he necessary that there shall he raised, outside of the regular appropriation, the amount of forty-one thousand seven hundred (41,700) dollars. The items making up this amount, with a specific reason in each case, are as follows:

For reconstruction and repairs on wharf, $15,000.

It has heen found by the engineer of the Public Works Department that the steamboat wharf at the House of Correction at Deer Island is in poor condition and should be reconstructed at once. The estimated cost of reconstructing this wharf is $7,000.

The wharf in front of the coal shed is in worse condition than the steamhoat wharf and should he rehuilt. The estimated cost of rehuilding this wharf is $8,000.

The walls of the old prison building, particularly the semicircular portion of the administration building, show a great deterioration, and in the judgment of the architect any unusual vihration would cause an extreme element of danger, as the walls are to-day being held together hy nothing more than the bond of the hrickwork, already fractured in several places. The estimated cost of reconstructing this wall is $5,000.

Men's old prison roof should be reconstructed at once, because the interior of the huilding will sustain material damage. Estimated cost, $1,000.

Men's new prison roof should he reconstructed at once, hecause the interior of the huilding will sustain material damage. Estimated cost, $1,000.

Hospital roof should be reconstructed immediately hecause the interior of the building will sustain material damage. Estimated cost, $2,500.

Electric wiring in harn. At the present time this barn is lighted by kerosene oil and there is grave danger because of the liability of fire. Electric wiring should be installed at once, at an estimated cost of $500.

Repairs to harns. In order to protect the city property, live stock, etc., it will be necessary to spend immediately for this purpose the sum of $1,000.

Dredging ahout the wharf. In this matter the department has already contracted and provided for this work and expended the sum of $2,700.

This was a work of ahsolute necessity in order to allow harges of reasonahle draught to come to our wharf, and it would seem that this item should be included in the special loan.

New hoiler. Unless the recommendation of myself and predecessors is carried out, providing for a central heating plant, it will he necessary for us this year to expend for a new 72-inch horizontal tuhular hoiler, to take the place of the one which has become useless, the sum of $2,500.

In this connection it would seem well at this time to consider the estahlishment of a central hoiler plant, or at least the starting of one.

Fire hose, $500.

Fire hydrants, $1,000.

The buildings owned by the city at the institution at Deer Island are probably worth in the vicinity of one million dollars, and we are now inadequately provided with proper protection. Our fire hose and hydrants are antique and in some cases worn out, and they should be replenished or added to immediately.

Arc and search lights, $1,000.

Telephone service to be modernized, $2,500.

In order to properly protect the institution and the community from escape, or attempted escape, of vicious criminals, these items are imperatively necessary.

Old windows, sashes and frames in old men's prison should be replaced immediatcly by new ones, at an estimated cost of $2,500.

Concrete wall back of piggery. This wall of cement to hold the bank in placc back of the new piggery, where the earth is sliding, is imperative. Estimated cost, $2,000.

Remodel old women's prison for laundry. This seems to be the place where a modern laundry, or an addition to our present laundry system, should be installed, and to properly care for this particular work at the institution it is estimated that it will cost $2,500. Yours truly,

FRED S. GORE,
Commissioner.

—

City of Boston,
Penal Institutions Department,
32 Tremont Street, June 22, 1911.

Mr. William A. Leahy,
Secretary to the Mayor:

Dear Sir—Supplcmentary to my letter of June 13, in relation to the amount of money that would be necessary for this department to expend outside of its regular appropriation, permit me to forward for the information of the City Council copies of letter from Harrison H. Atwood concerning one of the brick walls at the Deer Island institution, and one from the Public Works Department concerning the wharves at Deer Island.

Yours truly,
FRED S. GORE,
Commissioner.

—

May 29, 1911.

Hon. Fred S. Gore,
Penal Institutions Commissioner,
32 Tremont Street, Boston:

Dear Sir,—In accordance with your verbal request that I make an examination of the fractured walls at the semicircular corners of the administration building at Deer Island, and report to you in writing as to their condition of stability, I beg to report as follows:

I made a personal examination of the fractured walls and floor framing on Friday, May 26, 1911, and found the lugs of both caps and sills of two of the corners of the building through three stories fractured clear through, and in the case of two of the caps the fractures are open to the width of more than an eighth of an inch with an attendant bulging of the brickwork; in one instance at least the stone sill and brickwork below have bulged outward between two and three inches, with a wide fracture, plainly visible at a glance.

The method of window head construction throughout this building is detailed by the inclosed sketch scale drawing; a thin granite cap and a four-inch wood lintel, set flat, carrying the brickwork back of the caps; the wood lintels are dry-rotted and decayed to an extent nearly if not wholly destroying their load-carrying value, so that by the bond of brickwork the entire weight of materials falls upon the thin granite caps. It is this overloading of the caps by the decayed wood lintels that has caused the fractures. The floors are so framed at the circular corners, as shown by the dotted lines, that practically no load except the weight of materials comes on the walls.

It is my judgment that any unusual vibration would cause an extreme element of danger as the walls are to-day being held together by nothing more than the bond of the brickwork, already fractured in several places, and the strength of the mortar in which the brickwork was laid.

I believe there is grave danger of the walls falling out at any time. I would respectfully advise that you request the Building Commissioner to detail one of the building inspectors connected with his department for an examination and written report of the condition of this structure at the circular corners.

Very respectfully yours,
HARRISON H. ATWOOD.

City of Boston,
Public Works Department,
Bridge and Ferry Division,
June 9, 1911.

Mr. Fred S. Gore,
Penal Institutions Commissioner:

Dear Sir,—At your verbal request an examination of the two city wharves at Deer Island has been made.

The steamboat wharf is in poor condition and should be reconstructed at once A few main piles near the drop and about thirty fender piles should be renewed; the other piles should be examined by a diver, and, as the "Limnoria" have been active here, it will probably be found that other piles will need renewal; also the piles on the northerly side of the wharf should be cross-braced. The caps are in fair condition, but many of the stringers are in very poor condition. The estimated cost of reconstructing this wharf is $7,000.

The wharf in front of the coal shed is in worse condition than the steamboat wharf and it should be rebuilt. The estimated cost of rebuilding this wharf is $8,000.

Respectfully,
FREDERIC H. FAY,
Division Engineer.

Referred to the Committee on Finance.

WORK ON "ZOO," ETC.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

The appended communication from the chairman of the Board of Park Commissioners suggests the need of an immediate appropriation for the continuance of the work on the Zoological Garden and the inception of the work on the Aquarium. A memorandum attached thereto, prepared by the secretary of the Park Department, indicates that the amount needed is about forty-nine thousand two hundred dollars ($49,200), and I respectfully recommend that your honorable body, through its Parkman Fund Committee, set aside this amount from the income of the fund, to be expended under the direction of the Board of Park Commissioners for the Aquarium and Zoological Garden.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Board of Commissioners of the
Department of Parks,
June 23, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—The Park Commission is having the sewer and water supply for the Zoological Garden at Franklin Park and the floors for the bear dens built by its own force. We have, however, accepted the lowest bids for the stonework of the bear dens, ironwork of the bear dens, ironwork of the bird cages, subject to your approval of these contracts.

The Aquarium proves to be more complicated and expensive than we had been led to expect. The Parkman Fund money already placed in our hands will not be enough for us to contract for this building in addition to the other work now going on, if we continue with it as designed and as desired. Our action in regard to it must depend on the answer we obtain from you and from the City Council to our annual report made to you March 3, 1911, and to our letters to you of March 22 and April 24, 1911. In these you will remember we stated what we hoped to accomplish before June 1, 1912, and told you that to do it we should need before that date $230,000 in addition to the $120,000 we now have. For these reasons may we ask you to supply us as early as possible with an answer to that letter, so that we may adjust our plan of work accordingly?

If you give us the money asked for, please understand that the cost and requirements of these novel undertakings have not tallied exactly with our intentions and the details of our program have therefore been somewhat changed from our letter. We see, however, no need of changing the total amount of money asked for if we are permitted to expend it on the Aquarium and Zoological Garden to the best of our judgment.

Hoping that you can give us an early answer to our letter,

Yours very truly,
ROBERT S. PEABODY, Chairman.

Zoological Garden and Aquarium.

Aquarium Building—lighting, heating apparatus, refrigeration, etc.	$128,000 00
Aquatic flying cage, wirework, etc.	10,234 00
Bear dens, stonework	13,445 00
Ironwork	9,800 00
Water supply and sewerage	8,000 00
	$169,479 00
Balance of appropriation June 23, 1911,	120,300 00
Amount needed	$49,179 00

Referred to the Committee on Parkman Fund.

CONSOLIDATION OF DEPARTMENTS.

The following was received:

City of Boston,
Office of the Mayor, June 22, 1911.

To the City Council:

At the request of your honorable body, contained in an order passed at the meeting of February 27, I requested the Corporation Counsel to prepare a new draft of an ordinance abolishing the Bath, Music and Public Grounds Departments, so as to put into force a consolidation of the entire recreation service of the city. This draft was submitted to the Council at its meeting of May 1 and referred to the Committee on Ordinances. As this committee has not yet reported upon the matter and there is some question whether the word "submit" in my message is equivalent to "recommend," I desire now to recommend the passage of the ordinance in its original form as submitted by me and referred to the Committee on Ordinances.

Respectfully,
JOHN F. FITZGERALD, Mayor

Referred to the Committee on Ordinances.

PLAYGROUND, WARD 2.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

The accompanying petition, signed by a large number of children in the poorer section of East Boston, and presented to me by a delegation of these young people in my office, has appealed to me strongly and emphasized the need of playground accommodations in this section. I have therefore prepared and recommend for passage the accompanying order transferring the sum of fifty thousand dollars ($50,000) from the appropriation for Reserve Fund to an appropriation for Playground Accommodations in Ward 2.

Respectfully,
JOHN F. FITZGERALD, Mayor.

(Annexed was the petition referred to.)

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of fifty thousand dollars ($50,000) from the appropriation for Reserve Fund to an appropriation to be expended under the direction of the Park Commissioners for playground accommodations in Ward 2.

Referred to the Executive Committee.

MOTION FOR RECESS.

President COLLINS—Councilor Kenny moves that a recess be taken subject to the call of the Chair.

Coun. CURLEY—Mr. Chairman, I believe that Coun. Kenny will recognize the unfairness of presenting that motion. Coun. Attridge has sought recognition from the Chair several times before that motion was presented. Coun. Buckley has some matters that he desires considered before the recess. I have some. Coun. Hale has some. Coun. Smith has some. I don't think we should be put in the embarrassing position of having to humiliate the councilor from South Boston by defeating that motion.

President COLLINS—The Chair will say that at the time the motion for a recess was made the clerk had further communications from the Mayor and I said I would entertain the motion after the reading of the communications, and I will adhere to that policy.

Coun. CURLEY—I would say that I had no desire to reflect on the action taken by the Chair or on the action taken by the councilor from South Boston. I simply question the wisdom of putting the motion at this time.

Coun. KENNY—I have no objection to the Council sitting later and disposing of these other formal matters other than this,—that I had in mind that I wanted to defer the consideration of No. 4 on the calendar until we had further opportunity of conferring with the Mayor this afternoon, and if it is agreeable to let No. 4 wait until after the recess I will withdraw my motion.

Coun. CURLEY—One of the chief reasons that I am opposed to a reference is that I would like to see No. 4 acted on before we consult with anybody. I think we have consulted sufficiently on it.

Coun. McDONALD—I want to say that I am going to leave at half past four, and if you take a recess you must come back before half past four if you want me to vote on it.

Coun. KENNY—I think under those circumstances I will withdraw my motion.

There being no objection, Coun. Kenny was allowed to withdraw his motion.

BRANCH LIBRARY, NORTH END.

Coun. ATTRIDGE called up No. 4, unfinished business, viz.:

4. Ordered, That the sum of eighty-six thousand dollars ($86,000) be appropriated to be expended under the direction of the Library Trustees for land, building and equipment of a branch public library at the North End, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On May 31 the foregoing order was read once and passed, yeas 6, nays 1.

Coun. KENNY—At the meeting of the Council held on the 11th of June this matter had its first reading. During the usual recess the Mayor, though one of his secretaries, invited me to come down to his office, which I did. The Mayor said to me at that time that upon further reflection he realized, and I will try to quote him literally, that the passage of this loan order would create a very delicate situation and inasmuch as he was prepared to have the Reserve Fund augmented by the merging of the so-called Shaw estate tax money he was willing that the money for the North End Library should be taken out of the Reserve Fund provided we merged the Shaw estate money with the Reserve Fund. Now, since that meeting, that has been done, and to-day before the opening of this meeting or at this time, we have in the Reserve Fund $647,859.48. So far as I know it is the largest amount that we have ever had at our disposal in the Reserve Fund. I believe the usual appropriation for the Reserve Fund is a quarter of a million. Now, Mr. President, this matter was fully threshed out at the meeting on the 13th of June, and I haven't any desire to enter upon any lengthy discussion of it now, but it seems to me that the Council is making a very great error if it passes the loan order in the face of the Mayor's promise to submit to the Council an appropriation providing the necessities that are looked for here, providing for the North End Library, and paying for it out of the Reserve Fund. It is beyond my comprehension how a body charged with the high responsibility with which this body is charged, as trustees of the city's funds, can subject the taxpayers of the city to the additional burden of carrying $86,000 when we already have on hand the money to meet this charge. I have a memorandum on my desk here,— I have it from the auditor, having received it to-day,— which shows that there are loans to-day outstanding for street improvements, what we ordinarily term maintenance work, money spent for improving the condition of the streets, pavements and that sort of improvement. And to-day the city has charged against it and is paying interest upon loans for what we call current expenses, amounting to $5,280,000 in round numbers. That is the result of an investigation made by the auditor yesterday and handed to me within an hour. Therefore, I say that to subject the city to the additional burden of carrying an additional debt of $85,000 when we have the money on hand with which to

meet that obligation is rather peculiar finance. It is, Mr. President, a good deal like a man going to build a house which is to cost $5,000, the man having the money on hand, but instead of using it going out and borrowing money. I suppose the object of borrowing money is because you haven't got money on hand. That is the reason you borrow money. I am in favor of the North End Library; I am in favor of providing for the North End a library; and I am in favor of meeting the Mayor's position in the matter which, I desire to say, is highly commendable. I think the Mayor is to be commended for his position in this matter. and I can't conceive of this Board, for the sake of appearing consistent, holding that having once taken the position they must now go behind the Mayor's declared intentions. Now, since the meeting on June 3, the Committee on Appropriations has had a conference with the Mayor. This conference took place last Friday and at that time the Mayor stated to the committee that he was quite ready, provided the Council this afternoon rejected this loan order, to send to this Board an appropriation asking that this money come out of the Reserve Fund,—and within half an hour the Mayor's secretary has said to me in the corridor outside that that was still the Mayor's intention. If this Council in the face of those facts desires to go forward and borrow the money it must take the responsibility for having done so.

Coun. BALLANTYNE—I want to say in just one word that I am as heartily in favor of the North End Library as any member of this Board,—but that I can't under the circumstances see my way clear to vote for it under a loan order. I agree with what Mr. Kenny has said with regard to the conversations we have had with the Mayor since the last meeting, and I believe he stands ready to-day, if this order is rejected, to send in an appropriation order for that amount, so that the people of the North End can have a library. And I don't think the people of the North End care much how they get this library provided they get it. They want a library and I want to give it to them in the right way.

Coun. McDONALD—The Mayor told me within an hour that he would not send in any such order. He wanted the loan for $86,000 passed, and if we rejected it he would not send in an appropriation order but would hold us responsible for the result. I am in favor of a library for the North End, and I don't care whether we issue a loan for it, or whether it comes out of an appropriation, but I don't propose to reject a loan order and then afterwards be held responsible for the people of the North End not getting a library. If the Mayor intends to have it come out of an appropriation he ought to have sent in an order calling for an appropriation of that amount so that we might have passed that and rejected the loan order. He told me that he wouldn't do any such thing but that he wanted it passed as it was on the calendar.

Coun. KENNY—Now, Mr. President, we have an issue here. The Mayor is a party to it. I have quoted the Mayor and I have been corroborated by my friend from Ward 17 on my left. I have declared to this Council that the Mayor has said to me that he would send to this Board an appropriation for this money out of the Reserve Fund. Now my friend from Charlestown stands up here and takes exactly the opposite position and states that the Mayor is of a contrary state of mind. And there is the issue. Is the Council, in the face of that, going to act to-day? Is it not now the duty of each member here to vote to at least suspend this matter until my friend from Charlestown may go and return, whether at half past four or half past five or ten o'clock to-night? Is the Council, in face of that declaration from my friend from Charlestown, going to say that we must make this loan? I move, Mr. President, that this matter lie on the table and I will not ask to take it from the table until my friend from Charlestown has returned.

President COLLINS—The question comes on the motion of Coun. Kenny that the matter lie on the table.

The vote being taken, the Chair declared himself in doubt. Coun. KENNY asked for a roll call.

The roll call was taken and the motion was not passed, yeas 3, nays 6, viz.:

Yeas—Coun. Ballantyne, Collins, Kenny—3.

Nays—Coun. Attridge, Buckley, Curley, Hale, McDonald, Smith—6.

President COLLINS—The question comes on the passage of the order.

(Coun. BALLANTYNE in the chair.)

Coun. COLLINS—Mr. President, since this matter was first discussed before the City Council there appeared in the issue of the paper edited by the Mayor, called the *Republic*, a statement that it was very singular that I should vote for certain propositions pertaining to the other parts of Boston and refuse to give that section of the city in which I was born an equal opportunity to share in the resources of the city. My position taken at that time was due to the fact that the Mayor had stated—or it was reported that he had stated, and a rumor was circulated through the daily press—that he was to veto other items unless the particular item pertaining to the North End Library and others was taken care of. I said at that time I didn't believe the Council should be either cajoled or coerced into voting for matters simply because the Mayor threatened to veto other propositions. I thought that should rest with him—that we should give him the opportunity to veto, if he so desired. At that time I believed that it was not a very great wrong if money was taken by loan at that time because it was in the nature of a permanent improvement. But since that day there has come quite a change. The Mayor has sent to the City Council an order asking that the money commonly called the Shaw money, which was then a special item in the auditor's office, he transferred to the Reserve Fund, and this Council—in my opinion acting wisely—acceded to his request and passed the order, so that to-day we have substantially $700,000 in the Reserve Fund. Wherefore we find the Mayor since that time, and particularly during this session, sending in a number of orders aggregating from $20,000 to $50,000 to do work substantially similar to that which the Council is about to act on. In other words, Mr. President, it is a fundamental principle that if a man has money he is not letting it remain in a trust company at 2 per cent and borrowing at 4 per cent or more. That is fundamentally a bad business proposition, whether or not the improvement is that by way of maintenance or by way of a permanent institution. The North End Library, I believe, is a meritorious one, and it is true, as said by the Mayor, that I was born in the North End. I have never tried to capitalize that fact, Mr. President, and I never intend to in the future,—but I wish to say that this proposition, in my opinion, is as meritorious a one as has come before the Council during the year,—but when you have $700,000 on hand and it is contemplated to borrow $85,000, when we have more than almost ten times that amount in ready money, so that this Council, by acting on the matter to-day, can provide that the library shall be under way, for the people of the North End within one week, whereas if we pass this loan a second time it will probably be weeks before the library is started, I question whether or not the advocates of this proposition who are asking that the money be borrowed instead of spent from the Reserve Fund are showing any better faith than the men who are standing firm and not allowing themselves to be driven from their position. I recognize the fact that political capital may be made against me if I vote or decline to vote on this proposition, but I am willing to stand for what seems to be right. I believe that when we have the money available, and plenty of it, as is well signified by the numerous messages before the City Council to-day, that we ought to take that money from the Reserve Fund. The Mayor has signified his willingness to do so. The Council declines to give him the opportunity or to give the other members of the Council an opportunity to confer and see whether or not he will do it to-day. I say, in closing, that this matter should be gone into thoroughly,—that we should not act hastily,—that if we act to-day the money ought to come from the Reserve Fund where it properly should come from under the existing state of the city's finances. For that reason, Mr. President, if there is going to be a vote to-day on this proposition, I shall decline to vote in favor of this loan because there is the fundamental argument against it that the city has hundreds of thousands of dollars on hand for this particular purpose. The North End Library is a very important and commendable proposition. I know the needs of the district in which, I am proud to say, I was born. The district should have a library, the only question being as to the means of providing it. I believe the money for it should come from the Reserve Fund, and, until it is made clear that this is impossible, I cannot at this juncture give my approval to a loan, solely on the ground of its being bad, unwise and ill-advised finance.

Chairman BALLANTYNE—The question comes on passing the order.

Coun. KENNY—I think it is generally conceded that the tax rate of Boston should be somewhere in the vicinity of $16 or $16.50. I think that those who are trained in the management of the municipal finances, not only in Boston but in other cities, expect, and the people as a whole are quite prepared to meet, a tax bill of about $16 or $16.50 per thousand. Now, that is the condition in Boston. Here is an opportunity to get something out of that $16 or $16.50, an opportunity to take $85,000 and have something tangible at the end of the year, something that is not wiped out as a matter of bookkeeping, but which is substantial property, and it seems to me it will be a great pity if we don't do it. I don't believe, Mr. President, that the men who wantonly voted over $5,000,000 to pay for the repair of streets, putting it into a loan, should be placed in any other class than the men who vote to-day for this loan.

Chairman BALLANTYNE—The question comes on passing the order.

On the roll call, it appearing that six voted in the affirmative and two in the negative, the order was passed to its second and final reading. Coun. HALE moved reconsideration of the vote, hoping the same would not prevail, and reconsideration was refused.

President COLLINS in the chair.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

William W. Robinson, for compensation for injuries caused by an alleged defect at 1690 Washington street.

Mrs. Potter, for compensation for injuries caused by her falling on the Public Garden.

Mrs. Charles Duston, for compensation for damage to her daughter's dress, torn on wire projecting from a tree at 1847 Washington street.

Ellen McMahon, to be paid for fowls killed by dogs.

Jane L. Randolph, for compensation for injuries caused by her falling on Tremont street in front of the Tremont Theater.

Laurence C. Clinton, for compensation for damage to tip cart caused by alleged defect on River street, Mattapan square.

Joseph L. Connell, for compensation for injuries to horse by a loose cover of a catch-basin on Fowler street, corner Glenway street.

Charles T. Ellis, for compensation for damages at 20–22 Allston street, Dorchester, by change of grade of said street.

Edward F. Brennan, to be reimbursed expense of suit brought against him on account of his acts as a police officer.

Executive.

Petitions for sidewalks were received as follows:

(Brick.)

E. F. Butler, 18 Norfolk street, Ward 21.

(Gravel with Granite Edgestone.)

Yetty Pearl, 140–148 Howard avenue, Ward 16.

(Artificial Stone with Granite Edgestone.)

David Feldman *et al.*, 85 Myrtle street, Ward 11.

M. A. Kearns, 13 Leyland street, Ward 16.

John Burke, 17 Leyland street, Ward 16.

Herbert E. Stevens, 45–53 Saxton street, Ward 20.

Louis Greenblatt, 80–90 Glenway street, Ward 20.

Joe Kaufsky, 75 Holworthy street, Ward 21.

Elizabeth A. Barry, 949 Blue Hill avenue, Ward 24.

Hyman M. Rambach, 305 Norfolk street, Ward 24.

J. J. Donovan, 951 Blue Hill avenue, Ward 24.

Enterprise Associates, 89 Wrentham street, Ward 24.

Mrs. Jeanette E. Magee, 91 Wrentham street, and 109–111 Florida street, Ward 24.

George N. Douse, 3 King street, Ward 24.

Petitions for children under 15 years of age to appear at various places of amusements, viz.:

Mrs. Adeline M. Little, for children to appear at Fisher Hall on evening of June 26.

James F. Flynn, for children to appear at Vine Street Church on evening of June 21.

Helen Guest, for children to appear at Mechanics Hall on June 24.

Katherine McDonald, for children to appear at Mechanics Hall on June 24.

Boston Elevated Railway Company, for approval of certain changes in the elevated structure, etc., at Washington and Dover streets.

Boston Elevated Railway Company, for approval of temporary elevated structure, etc., Washington and Dover streets.

Petitions were received for licenses to sell, rent or lease firearms, viz.:

Nathan Friedman, 129 Dover street, Ward 9.

S. Gordon, 40–42 Shawmut avenue, Ward 7.

A. Levy, 244 Hanover street, Ward 6.

Collins Hardware Company, 5 Washington street, Ward 6.

Iver Johnson Sporting Goods Company, 157 Washington street, Ward 6.

Louis Goldberg, 44 Fleet street, Ward 6.

Leo B. Cohen, 251 Hanover street, Ward 6.

E. C. Schmidt, 15 Cornhill, Ward 6.

Hyman Slessinger, 74 Dover street, Ward 9.

William Slutzki, 236 Hanover street, Ward 6.

William Read & Sons, 107 Washington street, Ward 6.

M. S. Page & Co., 1–3 Endicott street, Ward 6.

M. B. Bloom, 331 Hanover street, Ward 6.

Joseph Rafelsohn, 53 Merrimac street, Ward 6.

Max Cohen, 49 Merrimac street, Ward 6.

Mark Nelson, 359 Columbus avenue, Ward 10.

Joseph Sonnabend, 2136 Washington street, Ward 17.

Jacob Cohen, 16 Main street, Ward 5.

Solomon Hamilburg, 154 Cambridge street, Ward 11.

Jacob Scheinfeldt, 95 Sudbury street, Ward 6.

Moses Bahn, 66 Merrimac street, Ward 8.

Maurice Sonnabend, 67 Green street, Ward 8.

National Sportsman (Incorporated), 75 Federal street, Ward 7.

Samuel Friedman, 223–225 Hanover street, Ward 6.

Isador Sonnabend, 362 Hanover street, Ward 6.

Suffolk Loan Company, 1904 Washington street, Ward 17.

Sam Segal, 388 Hanover street, Ward 6.

Allen & Lotts, 169 Summer street, Ward 7.

Joseph Stone, 59 Pleasant street, Ward 7.

Max Fishman, 47 Pleasant street, Ward 7.

Klein & Pearlestein, 21 Beach street, Ward 7.

Louis Segal, 11 Green street, Ward 8.

Victor Schonfelt, 319 Hanover street, Ward 6.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses for twenty-six newsboys, six bootblacks and four vendors—recommending that the same be granted.

Reports accepted; licenses granted on usual conditions.

COAL AND COKE LICENSE.

A copy of coal and coke license granted by the Secretary of the Commonwealth was received.

Placed on file.

STORAGE OF OIL, ETC.

Notice was received from the following named parties that the buildings hereinafter specified are used by them for the storage of gasolene, etc., and of intention to continue such use for the ensuing year, viz.:

American Garage Company, 24 Chardon street.

Helen W. McElwain, 390 Beacon street, Ward 11.

Warner & Co., 8 Liberty street, Ward 16.

Fred Edwards, 530 Columbia road.

Thomas B. Jeffery & Co., 118 West Brookline street, Ward 12.

South Boston Yacht Club, Columbia road, foot of O street.

Robey-French Company, 34 Bromfield street, Ward 7.

Iver Johnson Sporting Goods Company, 157 Washington street.

Henry L. Richmond, 511 East Fifth street, Ward 14.

Placed on file.

NOTICE OF INTEREST.

Notice was received from Fred S. Gore, Penal Institutions Commissioner, of his interest in concern which wasl owest bidder on work for brick paving on Hancock street.

Placed on file.

RIGHT OF WAY.

Notice was received from Mary Caroline Brigham *et al.*, opposing acquiring of right of way or other easement in land, corner Adams street and Dorchester avenue.

Placed on file.

NOTICES OF HEARINGS.

Notice was received from the Harbor and Land Commissioners of hearing on July 6 on petition of American Buildings Trust to build structures in Boston Harbor at South Boston.

Notice was received from the Railroad Commissioners of hearing on June 27 on petition of West End Street Railway Company for approval of 351st location.

Notice was received from the Railroad Commissioners of hearing on June 28 on petition of Boston Elevated Railway Company for approval of proposed changes at Dover Street Station.

Placed on file.

TRACK AND POLE LOCATIONS.

Copies of orders passed by the Street Commissioners were received as follows, viz.:

Union Freight Railroad Company, for curved track on Commercial street, opposite Lime alley.

West End Street Railway Company, for cross connection on Boylston street, west of Massachusetts avenue, 351st location.

Police Commissioner, to erect post on Huntington avenue.

Fire Commissioner, to erect posts on Dorchester avenue and other streets.

New England Telephone and Telegraph Company, to erect and to remove pole on Tonawanda street, Ward 20.

Edison Electric Illuminating Company, to erect and remove poles on Addison and Saratoga streets.

The same company, to remove pole on Dorchester street.

Placed on file.

DEMONSTRATION OF CRUSHING MACHINE.

An invitation was received from Daniel P. Sullivan to witness a demonstration of the crushing machine which he intends to employ in carrying out the conditions of the contract for the disposal of refuse, if his bid is accepted by the Commissioner of Public Works and approved by the City Council, said demonstration to be given at the city dump, Southampton street, on Wednesday, June 28, 1911, at 4 o'clock p. m.

The invitation was accepted.

SIDEWALK SCHEDULE.

A communication was received from the Commissioner of Public Works of cost of constructing artificial sidewalks on Rowena and other streets, recommending the passage of the following:

Ordered, That the persons named in the within schedule be and they hereby are charged and assessed with one-half the sums set to their respective names, as their proportional parts of the cost of constructing sidewalks in Rowena and other streets under the provisions of chapter 437 of the Acts of 1893, said amount being $2,435.74.

The order was passed.

CLERK HIRE.

W. T. A. Fitzgerald, Register of Deeds, submitted a report in accordance with the provisions of section 33, chapter 22, of the Revised Laws, certifying that persons have been employed in his office and that work had been performed to the amount of $3,929.96.

Referred to the Committee on County Accounts.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up Nos. 1, 2 and 3, unfinished business, viz.:

Action on appointments submitted by the Mayor, June 13, 1911, viz.:

1. Charles H. Gelpke and Anthony J. Tighe, to be Weighers of Coal for the term ending April 30, 1912.
2. Cornelius J. Bresnahan, to be a Constable of the City of Boston for the term ending April 30, 1912 (to serve without bonds).
3. Charles H. Reinhart, to be a Constable of the City of Boston for the term ending April 30, 1912.

The question came on confirmation. Committee, Coun. Ballantyne and McDonald. Whole number of ballots cast 9, yeas 9, and the several appointments were confirmed.

ADDITIONAL FIREMEN.

Coun. CURLEY offered an order—That his Honor the Mayor be requested to recommend to the City Council, at its meeting to-day, the transfer from the Reserve Fund of a sufficient sum of money to properly man the fire apparatus of the city, so the public may be protected from the possibility of a fire catastrophe.

Coun. CURLEY—Mr. Chairman, this order is presented with, or rather is suggested by, an editorial that appeared in the Boston *Journal* with relation to "the menacing fire hazard that should not be." The editorial said:

"If, responding to a first alarm of fire, there are not enough men to handle the apparatus on hand—

"If, owing to an undermanned department, it becomes necessary to ring a second alarm in order to obtain enough men for a first alarm fire—

"If, between responses to first and second alarms, a fire gets away from the department, spreads rapidly and consumes property to the value of many thousands of dollars—

"If, in the face of at least one not very remote happening like that, the City of Boston continues to neglect or refuses to bring its fire fighting force up to a basis of efficiency and safety—

"If, admitting the fact that the Fire Department is undermanned, those who could change conditions for the better say that the city cannot afford the expense—

"Who will be held responsible by the people of Boston?

"What will be the actual saving in dollars and cents?"

Now, Mr. Chairman, every person realizes that speedy action at the start of any fire means protection to the person whose property or life may be menaced. We are accustomed to speak of the fire in Chelsea and refer to the impossibility of such a conflagration in the City of Boston. We do not take into consideration, however, the fact that in the case of the Chelsea fire the fire departments of Chelsea and the adjoining cities and towns were really fighting the elements. They were fighting God in that fire, a 50-mile an hour breeze, the fire getting under headway, and cleaning out the greater portion of the city. And that same condition could obtain in any section of the City of Boston, not even excepting the downtown section. Why, Mr. Chairman, the Fire Department, as conducted at the present time during certain hours of the day, is a screaming farce. Two men on a piece of apparatus, the driver and the engineer, and on the hose wagon but one man, the driver, during at least five hours of every day,—during the meal hours,—because of the vacation, because of the leave of absence and because of various other reasons. I have no desire at this time—I may have later—to criticize the Fire Commissioner, but certainly it is a condition that should not obtain. The Fire Commissioner says that the condition can be remedied if he receives $100,000, which will provide for the placing of one hundred additional men, to bring the department up to a high state of efficiency. I feel that we owe it to the public of Boston to see that the arrangements are made before the Mayor leaves the city for the transfer from the Reserve Fund of $100,000, so that the Fire Department may be put on the proper basis of efficiency. The fire service perhaps next to the educational is the most important in connection with the conduct of the city. It is greater in importance than the Police Department and equal in importance with the Health Department. And if the people of Boston are agreeable

to paying the present tax rate they are entitled to that measure of protection which should go with the payment of those taxes. You can take the section you come from yourself, Mr. Chairman, the great Dorchester section, a section made up largely of wooden houses, and perhaps a majority of them two or three stories in height. If a fire should start out there with a high wind, unless the apparatus responded speedily, and unless in addition there were sufficient men to man the apparatus when it arrived at the fire, there is no power in this city that could prevent a similar condition to that which obtained in Chelsea. Every sensible man recognizes the fact that it takes at least two stalwart and husky men to handle the hose when the water is turned on, and if one man must be detailed for the care of the horses, another to fire the boiler, it leaves the driver of the hose carriage to handle the hose that should be handled by two men when the apparatus arrives at a fire. It has been common knowledge in this city that for the past year and more, for the past three years, whenever a fire appears to be of any degree of importance, it is customary to ring in a second alarm and follow it up by a third alarm, and every time the apparatus responds the additional cost to the city is equivalent to what the city would be compelled to pay in additional salaries for these men. The Fire Commissioner says that the department has sufficient apparatus to care for the needs of the City of Boston but lacks the necessary men. I believe, Mr. Chairman, the need is of sufficient importance to warrant this Council in adopting this or some similar order, having a conference with the Mayor this afternoon and receiving a recommendation or communication from him with reference to this all-important subject that affects not only the property of the citizens of Boston but their lives as well.

The order was read again for the information of Coun. Kenny.

Coun. KENNY—It seems to me that it would not be proper to pass that order in its present form at this time. I think we ought to have the Fire Commissioner appear before the committee and give us a chance to talk with him about that. It seems to me it is rather a careless way to proceed to ask the Mayor now simply to issue an appropriation for $100,000 without first making some examination into the matter. Therefore I move that the matter be referred to the Executive Committee.

Coun. CURLEY—Mr. Chairman, I would endeavor to set at ease the mind of the distinguished councilor from South Boston by asking, when I have completed what I am about to say, that the order be read again for his benefit. The order is in no sense mandatory. It simply calls the attention of the Mayor to a fact that is common knowledge in this city. No less a body than the Finance Commission have already recommended that fifty additional men be placed on the Fire Department and with relation to the position of the Fire Commissioner I would state that I have a copy of this morning's *Journal*, in which the Fire Commissioner says:

"Fire Commissioner Daly adds his testimony to the evidence presented by the Boston *Journal* that the Fire Department is undermanned. Interviewed by an evening newspaper relative to the Boston *Journal's* exposure of conditions, the commissioner made these plain statements:

"The Boston Fire Department needs more men, nearly 100 of them.

"We need them to take the places of firemen absent on vacations or on account of sickness.

"It is a fact that we are shorthanded, although there is no better fire-fighting equipment anywhere than we have in Boston.

"We don't need new equipment, but we do need more men.'

"That is plain talk. Moreover, the Fire Commissioner calls attention to the fact that on April 11 he wrote to the Mayor, asking for an additional appropriation of $75,000 with which to increase the force.

"The Fire Commissioner does not deny this remarkable statement made by an officer of the Boston Fire Department concerning the fire on Albany street, in which the repair shop of the fire department was among the buildings destroyed: 'The Albany street fire became a conflagration because not enough men responded on the first alarm to handle the lines, and it was necessary to wait for a response to a second alarm. By that time the fire had got beyond control.'

"The cost to the city of rebuilding and refitting the fire department repair shop will be a good deal more than $75,000, which was the amount asked for by the Fire Commissioner in order to man his equipment as it should be manned.

"A member of the City Council gravely informs us that the city cannot afford to grant an additional appropriation for the fire department."

Now I don't know who that member is:

"He is mistaken. The city cannot afford not to man the department. The city cannot afford to depend upon second alarms to bring men enough to handle the equipment which responds to first alarms.

"The city cannot afford to plead financial poverty when this year, out of revenue, it is to spend $800,000 for a City Hall annex which might have been met by a loan.

"The way to remedy the present inexcusable conditions is to grant the allowance that the Fire Commissioner has asked for. He is the responsible head of the department. He knows and says that he needs more men.

"How much longer must the Fire Department remain undermanned?"

And, Mr. Chairman, that is voicing not only the opinion of the Fire Commissioner himself but it is voicing the opinion that is held by one of the reputable newspapers of the city, and it is voicing a recommendation that was made sometime since relative to an increase in the force of the Fire Department. Now, Mr. Chairman, if this order is adopted we simply delegate the Mayor's City Messenger to wait on the Mayor and get his views this afternoon on this proposition. We already have the views of the Fire Commissioner and of the Finance Commission and I believe we are all familiar with the views that will be held by his Honor the Mayor, that if public necessity demands an increase in the number of men in the fire service for the proper protection of property and lives in this city it is necessary and wise to recommend a sufficient sum to be transferred from the Reserve Fund to provide for those additional men. Now, then, Mr. Chairman, I might say in this connection that we have also to hear in mind that for the next month or six weeks his Honor the Mayor, who, I am reliably informed, bore quite a distinguished part in the great conflagration in Albany street, will be absent from the city, so that in addition to losing the services of these men that are needed in the Fire Department, we shall also be without the services of his Honor the Mayor, who has in the past proven a very valuable ally to the Fire Department, perhaps not at all times to their liking. Now, Mr. Chairman, I sincerely trust that the councilor will see the wisdom of approving this order, and I would accordingly move that the order be read for the information of the members.

The order was again read.

Coun. KENNY — Mr. President, I don't know either who the member is who has been referred to in that article. I had rather assumed it was my friend from Ward 17, because if I remember correctly he was the one, this gentleman who now displays such tremendous interest and enthusiasm on behalf of the Fire Department, he was the only member of this Council last fall who voted against a loan to rebuild the fire repair shop,— and I think it was the only occasion in his eight or ten years' service in this building as a member of the city government that he ever voted against a loan or appropriation. But for some reason or other, Mr. President, he did vote against that loan and I should therefore rather assume from the reading of that article that the writer of that editorial must have had him in mind when he referred to some member not in favor of granting money to the Fire Department. I think no other member has ever indicated by any speech or remark made on the floor of this Council that he was against supplying the Fire Department with a proper amount of money to operate successfully. I think the Council has been prepared at all times to make the appropriations from the Mayor's office. I think the Fire Department has suffered less than any other department in the matter of curtailment in the question of estimates last spring. Certainly I am always prepared to vote the necessary money in favor of properly maintaining the Fire Department. But I have it on fairly good authority that the Mayor does not agree that there should be any additional increase in the personnel of the Fire Department. That is why I made the motion that the matter be referred to the Executive Committee, and we will send down and see the Mayor. I think my remarks are entirely in accord with the gentleman from Ward 17.

Coun. CURLEY—Mr. Chairman, I would like to ask the member from South Boston if he is agreeable that the Mayor should come before the committee and submit his views on the proposition if it is referred to the Executive Committee.

Coun. KENNY—I am entirely agreeable, Mr. President, and I am always agreeable to the Mayor coming before our committees and I would like to be present all the time when he is there.

Coun. CURLEY—I must commend my distinguished brother from South Boston for his generosity in this respect. I have no desire to enter into a discussion of my votes one way or the other, but I am pleased to discover that the distinguished councilor from South Boston has found one loan I did vote against. I wasn't aware there was any, and it is rather refreshing to find there is at least one. I might say in this connection, however, that I can call to his attention that I voted against $300,000 for questionable equipment for the lamps, and I believe I was the only one that voted against it. I have no objection, since the councilor is agreeable to his Honor appearing before the committee, to having this order presented to the Executive Committee. I believe if the Mayor does come before that committee and the facts can be pointed out to him and verified through a conference with the Fire Commissioner, that he has the interests of the city sufficiently at heart to warrant his making a suitable recommendation, which I trust he will make.

President COLLINS—The question comes on the motion of Coun. KENNY to refer the matter to the Executive Committee.

The motion was carried.

MUNICIPAL BUILDING, WARD 12.

Coun. CURLEY offered an order—That the Committee on Finance be requested to consider the advisability of appropriating a sum sufficient to erect a municipal building in Ward 12.

Passed.

ACCEPTANCE OF RANDOLPH AVENUE.

Coun. BALLANTYNE submitted the petition of A. V. Berner *et al* that Randolph avenue be accepted.

In connection with the above Coun. BALLANTYNE offered an order—That the Board of Street Commissioners be requested to accept and lay out as a public way Randolph avenue, Ward 24.

Passed.

FREE FERRIES, JULY 4.

Coun. BALLANTYNE offered an order—That the City Auditor be authorized to allow for payment to the Commissioner of Public Works on account of the Ferry Division the sum of $1; and the said commissioner is hereby authorized to accept the same in lieu of tolls for the ferries on July 4, 1911; said sum to be charged to the appropriation for Mayor, Public Celebrations.

Passed.

QUESTION OF PRIVILEGE.

Coun. CURLEY—Mr. Chairman, I rise to a question of privilege. My question of privilege relates to an article that appeared in the Boston *Herald* on Saturday, June 24, an article headed, "Curley Should Resign." Now, Mr. Chairman, it is not my purpose to criticise Mr. O'Brien, the editor of the Boston *Herald*. I have too much sympathy for the condition in which the paper is financially and the condition it is in as regards its subscribers, in its magnificent isolation away from the field of newspaperdom, on Tremont street. What I desire to say, Mr. Chairman, is this, that with the limited circulation that the *Herald* had I had some difficulty in obtaining a copy of this particular date of Saturday, June 24, but finally succeeded after considerable work. The article reads:

"Curley Should Resign.

"How much longer is this city to sit placidly by and see James M. Curley occupy the two wholly incompatible offices of representative in Congress and member of the municipal Council? No man can perform the duties of one without neglecting the duties of the other. A worse overlapping of responsibilities could hardly be imagined, because of the distance between the two posts of duty. Congress is in session. Curley must leave it and its work to attend in Boston the meetings of the City Council and its committees. He appears to be neglecting these highly important committee duties with the result that the work of municipal administration is seriously obstructed."

Now, then, Mr. Chairman, it is very evident that the editor of the *Herald* is not familiar with the political complexion of this body—and that if I were absent during the entire year either from committee sessions or from sessions of the Board, it would make no real difference so far as the conduct of the Board is concerned, because as a rule, either in the committee or in open Board, I vote opposite to a majority of the members who constitute the Board or the committees. Now, I feel that the editor of the *Herald* is entitled to the information as to when I propose to resign one of these offices. I desire to say in this connection, Mr. Chairman, that if I were at present serving on a special committee in Congress I would feel compelled to resign at once. However, I am not on any special committee. If the committees of which I am a member were holding hearings at the present time, or if there was any prospect of their holding them during the present special session, I should feel compelled to resign in order to be there. But the fact is, Mr. Chairman, that those committees of which I am a member—the Committee on Foreign Relations, the Committee on Coinage and Weights and Measures, and the Committee on Naturalization and Emigration—have simply organized, and in pursuance of the Democratic caucus policy no matters will be considered by them until the regular session in December. Now, with relation to the matters under consideration at the Capitol I desire to say that no vote has been taken on any matter, either great or minor, that I have not been present and recorded upon, and that with relation to the minor routine duties of the post I have a newspaper man acting in the capacity of secretary who is fully competent to handle all the detail of the office. And I wish to say, with relation to my duties in the City Council here, that I feel that when the regular session of Congress comes in in December I should resign my position in the City Council, and propose to do so, but until the time when the regular session comes in in December I propose to hold down this position as well as the one in Washington. The question of how much salary I draw between the positions apparently is causing some mental perturbation to Mr. O'Brien of the *Herald*. I presume that is largely due to the financial condition of the *Herald* and the rather slim prospects of Mr. O'Brien receiving one salary on Saturday nights, to say nothing of two. I want to say in this connection, Mr. Chairman, that it has never been my purpose to apply the salary received in the City Council to my personal benefit—and I feel that a man who has sufficient ability to work up to the high position of editor of even such a poor sheet as the Boston *Herald* is at the present time should apply his energies and great abilities, if he possesses any, in some other direction that would be of more material benefit to the people of the city,—and I take it, Mr. Chairman, that the position the Boston *Herald* is in at the present time is similar to that of any business that is scaling downhill; and the best way to revive a business of that kind, from my observation, has been either to offer premiums that are of greater value than the amount necessary to pay for becoming a subscriber to the paper in addition to receiving the subscription, or the making of some popular appeal of that character that will appeal to the people and cause them to take an interest in such a sheet as the *Herald*. And I would say in this connection, Mr. Chairman, that there is a crying need for the services of some gigantic intellect such as that possessed by Mr. O'Brien with relation to loan sharks in Boston. Now, Mr. Chairman, I have no criticism to make of the loan sharks. If ever I feel the need of any money I would rather borrow it of them than to chance the possibility of a refusal from some personal friend. But what I desire to say in this connection, Mr. Chairman, is that it is just possible Mr. O'Brien's energies might be applied to the establishment of such a line of business as would make it possible——

Coun. SMITH—May I ask for a definition of personal privilege from the Chair?

Coun. CURLEY—I should like to ask, Mr. President, if it is customary to yield the floor without being requested so to do?

President COLLINS—A question of personal privilege is a question which affects a gentleman's standing in this body. If the question upon which he is speaking does affect his standing in this body, then he may talk to that question. It has been the custom here in this city government to give much latitude to the members of the City Council in talking to a question of personal privilege. In a small body I have tried to make my interpretation as liberal as possible. But the time is getting pretty near when I will have to draw a fast line of cleavage so as to keep the members talking to that question which pertains to their standing as members of the city government.

Coun. CURLEY—Mr. Chairman, so far as I personally am concerned I don't feel that it was necessary for the Chair to make a ruling of that character. With relation to the line of remarks in which I have indulged up to the present time, or in which I propose to indulge, it was not my desire to tire the Board with a résumé of the entire article in question. But my reason for touching on the financial feature of it is this, that the article says, "While the salary of a member of Congress is $7,500 and that of the City Council is only $1,500, it is plain that if he must cheat one or the other, it would be much better ethically for him to cheat the government of the United States by a wholesale neglect of his duties there." Now, Mr. Chairman, the question of cheating as it is presented there is cheating in the sense of drawing two salaries, and to the question of the disposition that I propose making of my salary I am at this time directing what I may have to say. In this connection I will suggest to the editor of the Boston *Herald* that it might be possible for him to devise a method whereby he could be of benefit to the city, and a method that perhaps might result in an increase of the circulation of his newspaper. In that connection I call attention to the loan shark business, an article affecting which appears in the Boston *American*, which says "once trapped it is harder for a victim to escape the clutches of a loan shark than it was for Hugo's hero to cut his way from the tentacles of the ferocious devil fish. Even Boston school teachers have got into their clutches, and after having paid 50 per cent more than they borrowed, they still owe one and a half times the original loan. One victim, a hard-working young man of South Boston, despairing of ever getting out of the clutches of a concern from which he borrowed $5, killed himself. Victims have paid back from ten to one hundred times the amount of the original loan, and still were in the debt of the money lender." Now in that connection I desire to say, with relation to my City Council salary to which Mr. O'Brien has referred, that I am willing to present either to him or to any other person who cares to take charge of such a fund $500 of that City Council salary for the creation of an enterprise in this city to be conducted either by paid attachés or to be conducted in connection with the newspaper whereby it will be possible to make unprofitable the business of a loan shark in the City of Boston, and at the same time to be of benefit to the entire people of Boston. And I might say, Mr. Chairman, in this connection, that the idea was suggested to me by the reading of this particular article called "The Russian Jew in the United States. Studies of Social Conditions in New York, in Philadelphia and Chicago, with a Description of Rural Settlements, planned and edited by Charles S. Bernheimer, Doctor of Philosphy." In this particular section it treats of a proposition along similar lines. That is to say, taking advantage or failing to take advantage of the necessity of poverty of the people in a community. And it treats of the Gemilath Chassodim which has been in existence since 1892. "Its object is to loan money without interest in sums from $5 to $50 to be paid off in weekly installments to any deserving individual who can find a sponsor, or in other words, who can find a responsible indorser for his note. When the society was organized it had a net capital of $80. The society has now a capital of $74,184.32, according to its twelfth annual report ending December 31, 1903, and turned over its capital over four times during the year, loaning $320,740 to 13,143 persons. Of the total amount loaned, 97 per cent was repaid by the borrowers. The value of such a society in the direction of preventive charity can hardly be estimated. In the language of one of the speakers at an annual meeting, the Gemilath Chassodim may be likened to a dispensary, and the United Hebrew Charities to a hospital. In the former, mild cases not yet requiring heroic surgical or medical interference may receive attention. Here, however, the simile ends. The dispensary is intended essentially for the poor man who has no other means of receiving medical assistance." And there are other societies here referred to. Now, then, Mr. Chairman, the same form of society was started in Chicago and had even a greater success in Chicago. It goes on to say, "The Russian Jews are a thrifty people, thoroughly appreciating the benefits accruing to them as beneficiaries of loan societies. The borrower soon realizes that the loan organization is to him no more nor less than a savings bank, where the original amount is loaned to him with the privilege of borrowing it again when it has been repaid. Thus, each time he pays his small weekly installment, he is saving so much out of his earnings for his particular use at some future day. It is this advantage that accounts for the prompt returns on money loaned and the fact that fully 95 per cent of all money so loaned is promptly repaid." Now, just one word in this connection. I am willing to contribute $500 of my Council salary to the disturbed editor of the *Herald* towards the creation of a fund of $25,000, $50,000 or $100,000, to be managed by the Boston *Herald* or any other reputable agency, the purpose of the fund being to loan money to the public of Boston, either with or without indorsers, after investigation, at a rate of ½ per cent a month or 6 per cent a year. There is no chattel loan company that can do business on a 6 per cent a year basis. Such a fund would tend to relieve the public from the oppression and extortion of those who are termed money sharks, and the carrying on of a work of that character would be very commendable and would be of a great deal of service to the community. If Mr. O'Brien would interest himself in such a matter he could win for himself a place in the opinion of the public of this city from a beneficent and benevolent standpoint that might be of great advantage, even from the standpoint of publicity, in the carrying on of ordinary newspaper work. That offer would hold good until Mr. O'Brien or some other reputable person sees fit to accept it.

Coun. KENNY—Mr. President, will the gentleman yield for a question?

Coun. CURLEY—Mr. President, I have completed my remarks, but I am perfectly willing to yield for a question.

Coun. KENNY—Mr. President, I think this is the second occasion when my friend from Ward 17 has referred to his intention to part with the salary which he receives from the City of Boston by holding this office as a member of the City Council. Inasmuch as he was elected a member of the City Council in the first instance, and inasmuch as the City of Boston engaged his services here for two years at $1,500 a year, why is it not proper for him to earn and keep the salary which he receives here in Boston and yield the salary which he is getting in Washington?

Coun. CURLEY—Mr. President, I feel that a proposition of that character is one that I have sufficient intelligence to pass upon for myself. If, however, I should feel it necessary to consult some particular individual or individuals with relation to the method of distribution, I don't think I would have occasion to disturb the distinguished councilor from South Boston.

WIRE LOCATIONS, ETC.

President COLLINS offered an order—That the Corporation Counsel be requested to inform the City Council, at its next meeting, what, in his opinion, is the effect of the passage of chapter 509 of the Acts of 1911, as to conferring upon the Mayor and City Council the right to grant locations for wires, poles, piers, conduits, abutments, etc.

Passed.

EXEMPTION OF BOARD OF APPEAL.

President COLLINS offered an order—That the Corporation Counsel be requested to inform the City Council, at its next meeting, his opinion and the reasons therefor as to whether or not the passage of chapter 631 of the Acts of 1910 operated to exempt the members of the Board of Appeal from approval by the Civil Service Commission under sections 9 and 10 of chapter 586 of the Acts of 1909.

Passed.

SALARY OF PROBATION OFFICER, ROXBURY.

Coun. BALLANTYNE offered an order—That the salary of the male assistant probation officer of the Municipal Court of the Roxbury district, determined by the justice of said court, at the rate of $1,800 per annum, to begin April 20, 1911, be and the same is hereby approved, the amount so paid to be charged to the appropriation for the County of Suffolk, Municipal Court of the Roxbury district of the City of Boston.

Coun. BUCKLEY—Mr. President, I move that this order be referred to the Executive Committee, to be considered with the order that is already before that committee.

Coun. BALLANTYNE—Mr. President, I have no objection to reference to the Executive Committee, but I am not aware of any similar order that is before the committee. There is a communication from his Honor the Mayor stating why he vetoed a similar order a week ago, with a statement that he is perfectly willing at the present time to sign this order. But if it is the desire of the gentlemen of the Council that this matter lie over a week I shall offer no further objection than I have already offered.

Coun. Buckley's motion to refer to the Executive Committee was carried.

IMPROVEMENTS ON WILLIAM EUSTIS PLAYGROUND.

Coun. BALLANTYNE presented the petition of Thomas J. Melvin *et al.*, asking that improvements be made on the William Eustis Playground, Ward 17.

Referred to the Committee on Finance.

PUBLIC LANDS.

Coun. SMITH, for the Committee on Public Lands, submitted the following:

(1) Report on message of Mayor and order (referred June 13) to release restrictions on land, Boylston and Providence streets—that the order ought to pass.

On the question whether the order should pass a roll call was taken, and the order was passed, yeas 6, nays 1, viz.:

Yeas—Coun. Attridge, Ballantyne, Buckley, Collins, Kenny, Smith—6.

Nays—Coun. Curley—1.

Coun. BUCKLEY—I wasn't here when that matter was on. I would like to have it read again.

(The report was read again for the information of Coun. Buckley.)

Coun. BUCKLEY—I would like to have the entire order read. I wasn't here before. I would like to know if that is the Park square property.

(The order was read for the information of Coun. Buckley.)

Coun. CURLEY—I should like to ask through you, of the chairman of the Committee on Public Lands, if in the event of the passage of this order the city is not liable for all damage and equally liable for all improvements that may be made in that section?

Coun. SMITH—If this order goes through the city removes a restriction, a 5-foot restriction, as to building. That is the only restriction they remove. In return for that the city does not charge any betterments on the property owners, and builds at its own entire expense the street, taking part of the land from the Park Square Trust, so that no action will be begun until the owners of the Park square land give up the land they agreed to under the old trust. This simply puts us in a position to go ahead if the Park square people do as they formerly promised to do.

Coun. CURLEY—Mr. Chairman, but the city will be compelled to stand the entire expense and settle all the takings, etc.

Coun. SMITH—They will stand the expense of building the streets.

Coun. CURLEY—Mr. Chairman, I should like to ask Coun. Smith, through you, about what it is estimated the expense in connection with this will be, approximately?

Coun. SMITH—Well, I must say, we had our meeting some days ago, and the exact figures have gone from me. As I remember it, it is in the neighborhood of $60,000. I may be incorrect on that. I don't remember the exact figures. They were submitted to us at the time.

Coun. CURLEY—Mr. Chairman, I confess I can't see the wisdom of passing this order. Here is a great tract of land that covers several acres in a section of the city that has developed more rapidly—that is, that portion of it in the vicinity of Boylston street—than perhaps any other section in the entire city. At a hearing of the Street Commission upon this particular proposition I consulted Mr. Kiley, the real estate expert, and was informed that land values in that neighborhood have advanced 60 per cent in the last ten years. Now, Mr. Chairman, if the value of land has increased in that section 60 per cent in the past ten years it would seem but reasonable that they who have benefited by that increase, to which they have contributed in no degree,—because it has been the work of the others who developed that section and invested their money that made possible the great increase there and caused travel to tend in that direction and develop that particular section,—it is but reasonable that they should stand the expense of it. Now, Mr. Chairman, it is not the Park Square Trust, according to the recent ruling of the courts, that constitutes the interested parties in this particular instance. Rather is it the New York, New Haven & Hartford Railroad. And while a deed of trust was exchanged between the so-called Park Square Trust and the New York, New Haven & Hartford Railroad, in reality Mr. Minot and his associates were simply acting as agents for the New Haven Railroad in the matter of having the city develop property owned by the railroad. Now, I feel that the railroad has sufficient money to develop that property itself—and the location of a street in that particular section, extending from Boylston street to Columbus avenue, in all probability will be followed by a widening of Ferdinand street and of Pleasant street to Broadway, and an expense to the City of Boston, before the matter is settled, of a million dollars in land damages. I feel, Mr. Chairman, that this proposition is one of the most important that has come before this Board this year, and if the gentleman can't give us the exact figures—and certainly $60,000 can't be the exact figures—it is nearer half a million before they get through with it—after the vote is decided I would ask reconsideration and ask that the matter be referred to the Executive Committee.

Coun. SMITH—I don't think I made myself clear in the beginning. Providence street is the only street in question here. It is a simple deal between the owners of property running between Boylston and Providence streets and the city. If I may continue until I think I have made it clear I would be glad to answer questions. We remove the restrictions and in return for removing those restrictions we are not charged any damages for the taking of land. One counterbalances the other. It is a simple deal between the city and the owners of property. Now, any talk about the Park Square Trust is rather beside the point. This refers only to Providence street. A simple swap—our giving up the 5-foot restriction and their giving up the damages that would be assessed.

Coun. CURLEY—I don't feel that either the chairman of the Committee on Public Lands or myself are competent to discuss this question at the present time, because we are not in possession of sufficient information; but I would say for the benefit of Coun. Smith that these propositions are always simple at the start but they are exceedingly complex and very expensive to the city before they finish, and this is the beginning of the most expensive proposition this city has ever embarked on.

Coun. HALE—As long as this has something, even indirectly, to do with the Park Square Trust, and as long as the Park Square Trust is directly connected with the New Haven, I ask for the privilege of not voting on this matter, as being interested.

Coun. SMITH—It is not complimentary to tell me that I am not competent to discuss this matter, as we went into it somewhat in detail with Mr. Kiley in the committee, and I think thoroughly discussed it, and I think if the gentleman would care to go into argument we could make it thoroughly understood. But out of deference to his wishes I would be very glad to reconsider the vote we have already taken and refer it to the Executive Committee, as I, for one, do not care to be charged with pushing anything through here. If he cares to discuss the matter more in detail, either in committee or here before the Board, I would be glad to have reconsideration.

Coun. KENNY—Mr. President, I think that is a very wise suggestion by my friend on my left, and I would also add that after the vote is reconsidered perhaps the matter might lie on the table until the next meeting, and then give the member from Ward 17 a chance to consider it further.

Coun. BUCKLEY—Have we already decided the vote in the first instance?

President COLLINS—The vote was six in favor.

Coun. BUCKLEY—I thought before you decided the vote that I had spoken and that you had recognized me. If there is no objection I would like to change my vote to "No."

President COLLINS—The question comes on reconsideration, Coun. Buckley. But if there is no objection, Coun. Buckley asks unanimous consent to have his vote changed from "Yes" to "No." There is no objection and Coun. Buckley is given that privilege. The question now comes, five having voted in the affirmative and two in the negative, on reconsideration, by Coun. Curley.

The motion to reconsider was carried.

On motion of Coun. BALLANTYNE the matter was referred to the Executive Committee.

(2) Report on message of Mayor, communication and order (referred last year) to release restrictions on land on Peterborough street, Ward 11—that the order ought to pass.

Report accepted; order read once and passed, yeas 8, nays 0.

(3) Report on message of Mayor and order (referred April 24) to release restrictions on land on Providence street—that no further action is necessary.

Accepted.

(4) Report on petition of Charles S. Rackemann, trustee (referred May 1), for release of restrictions on certain lots on Providence street and Boylston street—that no further action is necessary.

Accepted.

INFORMATION CONCERNING HEALTH DEPARTMENT.

Coun. SMITH offered an order—That his Honor the Mayor be requested to report to this body what use is being made of the appropriation for two additional nurses to be employed by the Health Department on milk and baby hygiene work.

Coun. SMITH—The reason for calling this up is that in our annual budget we made an appropriation for an increase in the appropriation for the Health Department of $32,000, and when the representative was asked the reason for so doing he stated that he needed $27,000 of this for additional supervision in the schools, and that he needed about $3,000 for two additional nurses to put on this work in the summer. Since then we have heard nothing about these nurses going to work, although the hot months are rapidly approaching, and it occurred to me that something ought to be done along that line. I don't do this in antagonism to the Health Department, but simply to stir them up in order that something may be done before the summer passes. After passing the appropriation for this purpose we don't want to let the whole summer go by, when this work is so much needed. The fact that the Board of Health are willing to do the work is evidenced not only by the statement before the Board at the time of the appropriation but also by a letter of Doctor Durgin, which I have in my hand, in which he verifies that statement before the Board. This is being done in other cities on a much larger scale, and as long as we have granted the money to the Board of Health to take care of the babies in our crowded tenement sections it seems to me we ought to get busy on it at once. It is for this reason I have introduced the order. I hope the order will pass in order that we may get the nurses immediately.

The motion was carried and the order passed.

DAY OFF FOR PARK EMPLOYEES.

Coun. BUCKLEY offered an order—That the Park Commissioners be authorized to allow the employees of the Park Department a day off, without loss of pay, on August 3, the day set for the annual picnic of said employees.

Coun. BUCKLEY—The reason that order is presented is this: It is the same order that was presented and passed last year, and the employees had a letter from the Park Commissioners to the effect that the Board would allow their organization a day for its annual picnic, but could not allow pay for said day unless the Mayor and City Council authorized such holiday without loss of pay. They have always had it.

The order was passed.

CLAIMS.

Coun. BUCKLEY, for the Committee on Claims, submitted a report on the petition of Edmund K. Baker (referred May 31), offering to surrender alleged invalid tax deeds and requesting that he be reimbursed for the same—that the petitioner be given leave to withdraw.

Accepted.

ORDINANCES.

Coun. McDONALD, for the Committee on Ordinances, submitted the following:

(1) Report on message of Mayor and order (referred May 8) appropriating $2,000, to be expended in accordance with the program of the Municipal Athletic Association, under the direction of the Bath Trustees—that no further action is necessary.

Accepted.

(2) Report on message of Mayor and communication from Finance Commission (referred February 20) relative to the Consumptives' Hospital Department—that the same be placed on file.

Report accepted; said communication placed on file.

ANNUITY FOR MRS. BURKE.

Coun. McDONALD offered an order—That in accordance with the provisions of chapter 530 of the Acts of 1911 an annuity of three hundred dollars be hereby allowed and paid to Hattie Burke, widow of Patrick Burke, who was killed while in the service of the city, said annuity to continue for a period of eight years unless the said Hattie Burke shall remarry within said period, in which event the annuity shall cease; the amounts paid under authority of this order to be charged to the appropriation for Public Works Department, Highway Division.

Referred to the Executive Committee.

SMOKE NUISANCE, CABOT STREET BATH.

Coun. SMITH offered an order—That his Honor the Mayor be requested to cause the smoke nuisance at the Cabot Street baths to be discontinued.

Coun. SMITH—My reason for introducing this is because I understand from persons in the section and from personal observation that they burn soft coal there and the smoke is very objectionable, especially in so crowded a neighborhood.

The order was passed.

LIGHTING OF PLAYGROUNDS.

Coun. SMITH offered an order—That the Park Commissioners be requested to furnish an estimate of what it would cost to properly light the various playgrounds, with special reference to Columbus Avenue, William Eustis and the Charlesbank, and whether the same could be done out of their present appropriation.

Coun. SMITH—The playgrounds are as a rule under-lighted. This results in their not being used at night except for purposes for which they are not intended, and it seems to me we could make them more available for the boys of the various neighborhoods if we had proper electric lights. That is especially true of two mounds on the Charlesbank, and it is also true of Columbus Avenue, but it is generally true of the parks throughout the city, and I hope the additional expense of lighting them will be borne.

Coun. CURLEY—I would like to move, as an amendment, that the William Eustis Playground in Ward 17 may be included with the others.

Coun. BALLANTYNE—I would like to inform the councilor on the other side that an order and petition have gone in to-day with regard to that playground.

Coun. CURLEY—You have no objection to it being amended here?

Coun. BALLANTYNE—No.

The amendment was adopted, and the order as amended was passed.

REMOVAL OF PARK WALL.

Coun. SMITH offered an order—That the Park Commissioners be requested to report upon the advisability of removing the wall now bounding Franklin Park on Seaver street; and also whether the Boston Elevated Railway would bear the expense.

Coun. SMITH—This wall has directly caused the death of two people within a year, and accidents have happened to others, especially to one man who lost his leg. It seems to me the wall should be reported on by the Park Commissioners. It is a menace to life—the cars travel so close to it. It may be the Elevated will stand the whole expense and relieve the city of the expense. At any rate it seems to me the matter is well worth looking up and having a report upon.

The order was passed.

COLLECTION OF GARBAGE, NORTH END.

Coun. SMITH offered an order—That his Honor the Mayor be requested to furnish a report from the Sanitary Department as to whether the law is being enforced in the North End of the city in regard to the collection of garbage.

Coun. SMITH—It is with some hesitation that I introduce this order because it reflects somewhat on the Sanitary Department. For two months I have been receiving kicks from the residents of the North End, especially in the neighborhood of Hull and North Bennet streets, as to the collection of garbage. I advised them to go to the Sanitary Department and make known their troubles, which they did. A month ago, May 12, they wrote to Commissioner Rourke, who recognized their letter by a postal, and nothing has been done. A week ago they wrote again and nothing has resulted. I myself telephoned to the Sanitary Department on Wednesday. They said a report would be made to me on Friday, which has not been made up to date, although I reminded them of that this morning again. It seems to me the Sanitary Department might at least take the matter in hand. The conditions there are very bad. By actual count one day there were forty-seven barrels within four blocks, forty-seven barrels of garbage. Another day there were fifty barrels,—half of them wooden barrels, which is against the law. Not more than ten out of the fifty were covered, although the law requires covers to be used upon them. On the day after the 17th of June—Tuesday, June 18—there was no collection made of the garbage in that section of the city, although the garbage was larger in quantity on that day, of course,—and the next day it wasn't collected until afternoon, although residents of the section called the department up three times in the morning. And so it goes. I dislike to bring the matter up here in the Board. I have referred the people of that section to the Sanitary Department time and again and I see no other way to spur the department on to enforce the law than to give it publicity in this way. The hot season is approaching. The garbage will be more objectionable than ordinarily down there—and it seems to me the garbage matter should be taken up at once. If we have laws they should be enforced. If they don't intend to enforce them the matter should be treated in this body. I have in my pocket photographs bearing out the facts. They show that the barrels are wooden and are overflowing and have no covers. And, furthermore, some of the collectors of garbage take the trouble to roll the barrels out from the places in the buildings where they are kept rather than to fulfill the law and take them only when they are on the curbing. I should like to have the order passed in order that the Sanitary Department can clear its skirts if it has an explanation to make.

The order was passed.

SALE OF CHARLESTOWN ALMSHOUSE.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

For the reasons given in the accompanying communication of the chairman of the Infirmary Trustees I beg to recommend the passage of the order attached hereto, authorizing them to sell to the Boston Elevated Railway Company for a sum not less than seventy-two thousand dollars ($72,000) the property known as the Charlestown Almshouse, with the land connected therewith.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Infirmary Department,
June 26, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—I inclose herewith an order which I would like to have you forward to the City Council for consideration pertaining to the sale of the Charlestown Almshouse.

The proposed Malden elevated extension of the Boston Elevated Railway Company will pass through this property, destroying the building and dividing the land. This extension requires the removal of our department from the premises which in the past has been seriously considered by the trustees from a standpoint of economy. The advent of the Elevated now forces us to abandon the property for institutional purposes.

I have asked Mr. John C. Kiley to represent this department in negotiating with the Elevated Railway Company for a settlement and he reports that he thinks it desirable, if we can do so, to make a sale of the entire property to the Railway Company rather than have a taking made of a strip of land wide enough to give them a right of way for their overhead structure. He reports, and I coincide with him, that the city will be justified in selling the entire property to the Railway Company for seventy-two thousand dollars ($72,000), which he thinks is a fair market value for it. The property is assessed for fifty-four thousand seven hundred dollars ($54,700), of which thirty thousand seven hundred dollars ($30,700) is on the land, 102,567 square feet, and twenty-four thousand dollars ($24,000) on the buildings. The price set by Mr. Kiley is about thirty-one per cent (31%) in excess of the assessed valuation.

Very respectfully,
E. M. GALLAGHER, Chairman.

Ordered, That the Boston Infirmary Trustees be and hereby are authorized, with the approval of the Mayor, to sell to the Boston Elevated Railway Company for a sum not less than seventy-two thousand dollars ($72,000) the property in the Charlestown district known as the Charlestown Almshouse, with the land connected therewith, containing about 102,400 square feet, and upon such sale his Honor the Mayor is hereby authorized, in the name and behalf of the city, to execute a deed satisfactory to the Law Department, conveying said premises to said company for a consideration not less than seventy-two thousand dollars ($72,000), to be determined by said trustees and approved as aforesaid.

Referred to the Executive Committee.

CLOSING OF STREETS.

Coun. ATTRIDGE offered an order—That the Police Commissioner be authorized to close Ashland street, between Brown avenue and Ashland terrace, in front of the Sacred Heart Church, on Sunday, June 25, 1911, between the hours of 12 noon and 1 p. m.

Ordered, That the City Messenger be authorized to rope off said portion of Ashland street at the above mentioned time.

Passed.

President COLLINS offered an order—That the Police Commissioner be authorized to close to travel by vehicles, except fire, police, hospital and mail wagons, North Narvard street, from Western avenue to the bridge, on Friday, June 23, 1911, between one o'clock and five o'clock p. m.

Passed.

FILLING OF EAST BOSTON RESERVOIR.

Coun. KENNY offered an order—That the Commissioner of Public Works, through his Honor the Mayor, report as to the cost of filling the reservoir in East Boston, situated at Brooks and White streets, known as "Eagle Hill Reservoir," in a suitable manner for playground or park purposes.

Coun. KENNY—I am informed, Mr. President, that the necessity no longer exists for the continuance of that reservoir as a reservoir, and it has been suggested that that would make an admirable place for a park or playground. I went over on top of the reservoir some days ago and came to that conclusion, that it would make not a large but a very desirable park for the people of East Boston. They have a full view of the water. Therefore I present that order.

The order was passed.

CONSOLIDATION OF DEPARTMENTS.

Coun. KENNY—I have now a paper which I am going to offer in the shape of a draft of an ordinance in connection with the establishment of a Park and Recreation Department. It has appeared, I think, in some of the newspapers within a few days that there was danger of the ordinance which the Mayor had submitted to the Council some weeks since becoming effective if action was not taken, and that action was not likely to have been taken. I desire to say on behalf of this Council—especially on behalf of the chairman of the Committee on Ordinances—that those ordinances were discussed with members of the committee three or four weeks ago, and the matter was fully in the minds of the committee, and if the Mayor had not indicated, as he did last Friday, his intention to withdraw the draft which he had submitted and resubmit the draft in a new or the same form, a meeting would have been called and action would have been taken by this Council with respect to that matter. I have here a draft of an ordinance which I propose to offer, on behalf of myself, and I shall ask to have it referred to the proper committee to be considered in connection with the Mayor's draft of ordinances.

Coun. KENNY offered the following:

City of Boston.

In the Year Nineteen Hundred and Eleven.

An Ordinance Establishing a Park and Recreation Department and Abolishing the Park Department, the Public Grounds Department, the Bath Department and the Music Department.

Be it ordained by the City Council of Boston, as follows:

Section 1. The Park and Recreation Department which is hereby established shall be under the charge of a Board of Park and Recreation Commissioners, of whom one shall be a landscape architect or landscape engineer familiar with the theory and practice of designing, laying out and maintaining parks, who shall act as chairman, and shall receive a salary of $7,500 per annum; one shall be an architect, of not less than five years' experience in his profession; and one a civil engineer of not less than five years' experience in his profession. The members, other than the chairman, shall serve without pay.

Sect. 2. The Mayor shall appoint said commissioners, the chairman for a term of three years, and the other members for a term of two years and one year, respectively, and thereafter as the terms of office expire in each year he shall appoint one member for a term of three years. Vacancies as they occur shall be filled by the Mayor for the unexpired term.

Sect. 3. The said board shall exercise and perform all the duties herein enumerated and all other powers and duties not herein specifically enumerated which are required by existing laws and ordinances to be exercised and performed by the Park Commissioners, the Superintendent of Public Grounds and the Trustees of the Bath and Music Departments.

Sect. 4. Said board shall construct, improve, equip, supervise and regulate the use of all parks, public grounds, playgrounds, baths and beaches that have heretofore been under the charge and control of the Park Commissioners, the Superintendent of Public Grounds and Trustees of the Bath Department, or that hereafter may be placed in the charge of the department, or that may be taken by purchase or otherwise; and such other parks, playgrounds, public grounds, ways, or means for outdoor recreation as may be placed in the charge of the department by the city, the Board of Metropolitan Park Commissioners, or the Legislature, or in any other manner.

Sect. 5. Said board shall have the care and superintendence of all trees belonging to the city; shall trim all shade trees standing in the street so that they shall not interfere with public travel; shall carry out all orders of the Street Commissioners made after public notice and hearing to remove trees standing in the street; shall upon request of the officer having charge of the public lamps trim in such manner as said officer may require any tree which interferes with the proper lighting of a street, and shall cause all statutes and ordinances for the protection of trees, shrubs and flowers in the public grounds and streets to be strictly observed.

Sect. 6. Said board shall construct, improve, equip, supervise and regulate the use of all gymnasia and all bath houses now or hereafter provided by the city, and shall construct every such new bath house, gymnasium or means for public recreation for which an appropriation may hereafter be made.

Sect. 7. Said board shall have the charge and control of the selection of public music to be given for parades, concerts, public celebrations and other purposes under appropriations of the City Council, shall determine the parties to furnish the same, make the contracts and expend the moneys to be paid from the city treasury for such music, and perform all other duties given by statute or ordinance to the former board of Music Trustees.

Sect. 8. The rules and regulations heretofore adopted by the Park Commission for the use and government of the parks, parkways, playgrounds and streets formerly under its charge shall continue in force until changed by said board, with the approval of the City Council; and said board, with the approval of the City Council, may establish from time to time regulations for the use and government of said parks, parkways, playgrounds, streets, buildings and all premises in its charge. Whoever violates any such regulation shall be punished by a fine not exceeding twenty dollars for each offence and not only the person actually doing the prohibited thing but also his employer and every person concerned in so doing shall be punished by such fine.

Sect. 9. The board shall create two divisions of said department, namely, a Park Division and a Recreation Division. Each division shall be in charge of a deputy commissioner, who shall devote his whole time to the work and who shall receive an annual salary of not more than four thousand two hundred dollars. Said board shall appoint the deputy commissioners, engineers, physicians, subordinates and employees and define their powers and duties and fix the amount of their compensation.

Sect. 10. Chapter seven, chapter twenty-six, chapter twenty-eight, and chapter thirty-three of the Revised Ordinances of 1898 and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sect. 11. Section five of chapter three of the Revised Ordinances of 1898 is hereby amended by striking out the following words: "the superintendent of public grounds, four thousand dollars."

Section 12. This ordinance shall go into effect on the first day of September, 1911.

Referred to the Committee on Ordinances.

FEES FOR FIREARMS, ETC.

Coun. McDONALD offered the following:

City of Boston.

In the Year Nineteen Hundred and Eleven.

An Ordinance relative to fees for licenses for firearms.

Be it ordained by the City Council of Boston, as follows:

Licenses granted under the provisions of chapter 495 of the Acts of 1911, for the selling, renting or leasing of firearms, shall be issued by the City Clerk upon the payment in each case of a fee of two dollars, and an additional fee of two dollars shall be required for the transfer of the location under section 8 of said chapter. The payment of the fee as herein required shall be one of the conditions upon which the license or transfer is granted, and no such license or transfer shall take effect or be issued until the fee is paid.

Referred to the Executive Committee.

EXPENSE OF HEARINGS.

Coun. SMITH offered an order—That the expense of stenographic report of the district meetings held by the Mayor and City Council in February, 1911, amounting to $280, be charged to the appropriation for City Council, Incidental Expenses.

Referred to the Executive Committee.

DISPOSAL OF WASTE.

Coun. SMITH offered a resolution—That this Council do again request Commissioner Rourke to come before us and give us the benefit of his opinion regarding each of the contracts submitted at the recent call for bids to dispose of the city waste.

Coun. SMITH—The reason I ask for this is because the Council as a body has not up to date been informed in regard to the recent bids for disposal of the city waste, although ten such bids were sent in. On May 15 we passed an order here asking the commissioner to give us a detailed report on each one of these bids, with recommendation and opinion upon each. I believe he sent in the actual bids with no recommendation or opinion upon any of them. It seems to me this Council, in view of the fact that the matter will be settled before the summer, in all probability, ought to have the benefit of the knowledge of the commissioner on these various bids. They cover all the methods of disposing of the city waste. It would be very helpful to this body. We have already passed the order once. It seems to me that we should request his presence even though the bids were not accepted, because most of the companies who made the bids formerly will do so again.

Referred to the Executive Committee.

RECESS TAKEN.

The Council voted at 5.25 p. m., on motion of Coun. HALE, to take a recess subject to the call of the President.

The members of the Council reassembled in the Council Chamber and were called to order by the President at 7.58 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Reports on messages, orders, etc. (referred to-day), that the same be referred to the Committee on Finance, viz.:

Message, communication and order transferring $3,000 to appropriation for Fremont Avenue Playground.

Message and order transferring $50,000 to appropriation for playground accommodations, Ward 2.

Message and order transferring balance of appropriation for Playground, Wards 7 and 9, to the appropriation for Playground, Ward 7.

Message and order for $40,000 for playground accommodations, Ward 19.

Reports accepted; said reference ordered.

(2) Report on message of Mayor, communication and order (referred to-day) that the property in Charlestown known as the Charlestown Almshouse be sold to the Boston Elevated Railway Company for not less than $72,000 — that the same be referred to the Committee on Public Lands.

Report accepted; said reference ordered.

(3) Report on resolution (referred to-day) that Commissioner Rourke appear before the Council and give his opinion regarding each of contracts submitted at the recent call for bids to dispose of the city waste — that the resolution ought to pass.

Report accepted; resolution passed.

(4) Report on order (referred June 13) for sidewalk on both sides of Thetford avenue, Ward 24—that the order ought to pass.

Report accepted; order passed.

(5) Report on order (referred to-day) that the expense of stenographic report of the district meetings held by the Mayor and City Council in February, 1911, be charged to the appropriation for City Council, Incidental Expenses—that the order ought to pass.

Report accepted; order passed.

(6) Report on ordinance (referred to-day) that license granted under the provisions of chapter 495 of the Acts of 1911 for the selling, renting or leasing of firearms shall be issued by the City Clerk and that the fee be fixed at two dollars—that the ordinance ought to pass.

Report accepted; ordinance passed.

(7) Reports on message, communications and orders—that the orders ought to pass, viz.:

Message, communication and order (referred to-day) that $3,000 be transferred from Reserve Fund for Prince Street Playground improvements.

Message, communication and order (referred May 31) that the City Treasurer be authorized to accept an award of $50 for damages due to the taking of certain easements, etc., in estate No. 33 Beacon street.

Message, communication and order (referred to-day) that $2,500 be transferred from Consumptives' Hospital Department, Completion of Second Ward, to Consumptives' Hospital Department, Domestic Building.

Message and order (referred to-day) that $20,000 be transferred for tunnel under railroad tracks, between Boylston and Green streets, Jamaica Plain.

Message and order (referred to-day) appropriating $3,000 for Marine Park, Pier Head, Completion of.

Message and order (referred to-day) appropriating $5,000 for North End Pier, Buildings, etc.

Message, communications and order (referred to-day) appropriating $50,000 for convenience stations.

Reports accepted, orders severally passed, yeas 7, nays 0.

(8) Reports and petitions (severally referred to-day) for sale of firearms—that leave be granted, viz.:

Nathan Friedman, 129 Dover street, Ward 9.
S. Gordon, 40–42 Shawmut avenue, Ward 7.
A. Levy, 244 Hanover street, Ward 6.
Collins Hardware Company, 5 Washington street, Ward 6.
Iver Johnson Sporting Goods Company, 157 Washington street, Ward 6.
Louis Goldberg, 44 Fleet street, Ward 6.
Leo B. Cohen, 251 Hanover street, Ward 6.
E. C. Schmidt, 15 Cornhill, Ward 6.
Hyman Slessinger, 74 Dover street, Ward 9.
William Slutzki, 236 Hanover street, Ward 6.
William Read & Sons, 107 Washington street, Ward 6.
M. S. Page & Co., 1–3 Endicott street, Ward 6.
M. B. Bloom, 331 Hanover street, Ward 6.
Joseph Rafelsohn, 53 Merrimac st., Ward 6.
Max Cohen, 49 Merrimac street, Ward 6.
Mark Nelson, 359 Columbus avenue, Ward 10.
Joseph Sonnabend, 2136 Washington street, Ward 17.
Jacob Cohen, 16 Main street, Ward 5.
Solomon Hamilburg, 154 Cambridge street, Ward 11.
Jacob Scheinfeldt, 95 Sudbury street, Ward 6.
Moses Bahn, 66 Merrimac street, Ward 8.
Maurice Sonnabend, 67 Green street, Ward 8.
National Sportsman (Inc.), 75 Federal street, Ward 7.
Samuel Friedman, 223–225 Hanover street, Ward 6.
Isador Sonnabend, 362 Hanover street, Ward 6.
Suffolk Loan Company, 1904 Washington street, Ward 17.
Sam Segal, 388 Hanover street, Ward 6.
Allen & Lotts, 169 Summer street, Ward 7.
Joseph Stone, 59 Pleasant street, Ward 7.
Max Fishman, 47 Pleasant street, Ward 7.
Klein & Pearlestein, 21 Beach street, Ward 7.
Louis Segal, 11 Green street, Ward 8.
Victor Schonfelt, 319 Hanover street, Ward 6.

Reports accepted; leave granted on the usual conditions.

(9) Reports on petitions (severally referred to-day) for permits for children under fifteen years of age to appear at various places of amusement—that permits be granted, viz.:

Mrs. Adeline M. Little, for children to appear at Fisher Hall on evening of June 26.

James F. Flynn, for children to appear at Vine Street Church on evening of June 21.

Helen Guest, for children to appear at Mechanics Hall on June 24.

Katherine McDonald, for children to appear at Mechanics Hall on June 24.

Reports accepted, permits granted on the usual conditions.

(10) Reports on petitions (severally referred to-day) for sidewalks—recommending the passage of orders that the Commissioner of Public Works make sidewalks along the following named streets in front of the hereinafter named estates, said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built as specified, viz.:

Brick.

E. F. Butler, 18 Norfolk street, Ward 21.

Gravel with Granite Edgestone.

Yetty Pearl, 140–148 Howard avenue, Ward 16.

Artificial Stone with Granite Edgestone.

David Feldman *et al.*, 85 Myrtle street, Ward 11.
M. A. Kearns, 13 Leyland street, Ward 16.
John Burke, 17 Leyland street, Ward 16.
Herbert E. Stevens, 45–53 Saxton street, Ward 20.
Louis Greenblatt, 80–90 Glenway street, Ward 20.
Joe Kaufsky, 75 Holworthy street, Ward 21.
Elizabeth A. Barry, 949 Blue Hill avenue, Ward 24.
Hyman M. Ramhach, 305 Norfolk street, Ward 24.
J. J. Donovan, 951 Blue Hill avenue, Ward 24.
Enterprise Associates, 89 Wrentham street, Ward 24.
Mrs. Jeannette E. Magee, 91 Wrentham street and 109–111 Florida street, Ward 24.
George N. Douse, 3 King street, Ward 24.

Reports severally accepted; orders passed.

(11) Report on petition of Old Colony Street Railway Company (referred June 13) for leave to operate as common carrier of newspapers, etc.—recommending the passage of the following:

On the petition of the Old Colony Street Railway Company, after public notice and a hearing, it being determined that public service and convenience require the granting of such a petition, it is

Ordered, That the Old Colony Street Railway Company be and it hereby is granted authority to act as a common carrier of newspapers, baggage, express matter and freight, in, along and upon those streets and highways in the City of Boston wherein is located and maintained the street railway of the said Old Colony Street Railway Company, between the drawbridge of the Neponset Bridge and a point at or near its car barn in the said Neponset district of the City of Boston, as shown on the plan accompanying its petition, to the extent and to the extent only of carrying and transporting such kinds of packages, parcels, goods and merchandise, of such size, bulk, weight and dimensions, as shall be approved by the honorable Board of Railroad Commissioners, exclusive, however, of such articles and commodities as shall from time to time be prohibited by or excluded with the approval of said honorable Board of Railroad Commissioners, subject, nevertheless, to such regulations and restrictions as in the opinion of said honorable Board of Railroad Commissioners public necessity and convenience require, and to such regulations and restrictions as may from time to time be made by the City Council and with the approval of the honorable Board of Railroad Commissioners, and to all provisions of law now or hereinafter in force relating to common carriers.

Report accepted; order passed.

(12) Report on message of Mayor and order (referred today) concerning restrictions on Providence street—that the order ought to pass.

The report was accepted, and the vote on passing the order was as follows:

Yeas—Coun. Attridge, Ballantyne, Collins, Kenny, Smith—5.

Nays—Coun. Buckley, Curley—2.

President COLLINS—The Chair will state that in his opinion, under the city charter, a release of restrictions is a release of interest in land requiring a two-thirds vote, at least six votes, of the Council. For that reason he will make a tentative ruling that the order has not passed, only five votes having been recorded in its favor.

Coun. BALLANTYNE—Mr. Chairman, I move a reconsideration of the vote just passed, and if that prevails I will ask assignment to the next meeting.

Reconsideration prevailed by a rising vote, 5 to 2, and the order was specially assigned to the next meeting on motion of Coun. BALLANTYNE.

LOCATION OF CONVENIENCE STATIONS.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

In confirmation of the agreement reached at our informal conference in the Mayor's office to-day, I beg to say that if the order for a transfer recommended by me in my message dated to-day of $50,000 from the appropriation for Reserve Fund to a special appropriation for convenience stations is passed by your honorable body, I shall request the Board of Health to expend the appropriation for stations at the following points:

Washington and Dover streets, Roxbury Crossing, Bowdoin square, Adams square and North square.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

FENS, IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order, transferring the sum of seventeen thousand two hundred and fifty dollars ($17,250) from the appropriation for Reserve Fund to an appropriation for Fens, Improvements.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of seventeen thousand two hundred and fifty dollars ($17,250) from the appropriation for Reserve Fund to an appropriation, to be expended under the direction of the Park Commissioners, for Fens, Improvements.

The order was read a second time, and the question came on its passage.

Coun. SMITH—Mr. President, while I am going to vote in favor of this order I want to register my disapproval of the soiling of the playgrounds in the Fens. While it may fit in with the architectural features of the park and surrounding buildings it seems to me ill-advised to put soil on the playground as is proposed. Putting soil on a separate ten-acre lot of meadow is all right, but certainly they do not need soil on playgrounds. Boys prefer not to have it there, and prefer skin playgrounds and diamonds. I think it is a waste of money. But rather than vote against the whole appropriation I am going to vote in favor of this.

The order was passed, yeas 7, nays 0.

LOCKER BUILDING, FOREST HILLS PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order transferring the sum of fifteen thousand dollars ($15,000) from the appropriation for Reserve Fund to an appropriation for Forest Hills Playground, Locker Building.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of fifteen thousand dollars ($15,000) from an appropriation for Reserve Fund to an appropriation, to be expended under the direction of the Park Commissioners, for Forest Hills Playground, Locker Building.

The order was passed, yeas 7, nays 0.

CHARLESTOWN HEIGHTS, FENCE.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order transferring the sum of twelve hundred dollars ($1,200) from the appropriation for Reserve Fund to an appropriation for Charlestown Heights, Fence.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of twelve hundred dollars ($1,200) from the appropriation for Reserve Fund to an appropriation, to be expended uuder the direction of the Park Commissioners, for Charlestown Heights, Fence.

The order was passed, yeas 7, nays 0.

SAVIN HILL PLAYGROUND, IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order transferring the sum of $3,500 from the appropriation for Reserve Fund to an appropriation for Savin Hill Playground, Improvements.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor he and hereby is authorized to transfer the sum of three thousand five hundred dollars ($3,500) from the appropriation for Reserve Fund to an appropriation, to be expended under the direction of the Board of Park Commissioners, for Savin Hill Playground, Improvements.

The order was passed, year 7, nays 0.

FELLOWS STREET PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order transferring the sum of $5,000 from the appropriation for Reserve Fund to an appropriation for Fellows Street Playground, Sanitary Building.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor he and herehy is authorized to transfer the sum of five thousand dollars ($5,000) from the appropriation for Reserve Fund to an appropriation, to he expended under the direction of the Board of Park Commissioners, for Fellows Street Playground, Sanitary Building.

Tho hrder was passed, yeas 7, nays 0.

STRANDWAY PLAYGROUND, GRADING.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order transferring the sum of five thousand dollars ($5,000) from the appropriation for Reserve Fund to an appropriation for Strandway Playground, Grading.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of five thousand dollars ($5,000) from the appropriation for Reserve Fund to an appropriation, to be expended under the direction of the Board of Park Commissioners, for Strandway Playground, Grading.

The order was passed, yeas 7, nays 0.

IMPROVEMENTS, SOUTH BOSTON PLAYGROUNDS.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order transferring the sums of $2,000 each from the appropriation for Reserve Fund to appropriations for West Third Street Playground, Improvements, and West Fifth Street Playground, Improvements.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor he and herehy is authorized to transfer the sum of two thousand dollars ($2,000) each from the appropriation for Reserve Fund to appropriations for West Third Street Playground, Improvements, and West Fifth Street Playground, Improvements.

The order was passed, yeas 7, nays 0.

TREES, COMMONWEALTH AVENUE.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order transferring the sum of $10,000 from the appropriation for Reserve Fund to a special appropriation for Commonwealth Avenue, Trees. The need of planting trees along this avenue, which is one of the most conspicuous in the city, has heen urged from time to time in communications from the Park Department, and I feel that the city is now in a position when it can afford the expenditure without detriment to other improvements which nay have heen thought in the past to have a prior claim.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of ten thousand dollars ($10,000) from the appropriation for Reserve Fund to an appropriation, to he expended under the direction of the Board of Park Commissioners, for Commonwealth Avenue, Trees.

The order was passed, yeas 7, nays 0.

FIRE STATION, OAK SQUARE.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I heg to recommend the passage of the accompanying order transferring the sum of ten thousand dollars ($10,000) from the appropriation for Reserve Fund to an appropriation for Fire Station, Oak Square and Faneuil section. The present appropriation is obviously inadequate.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and herehy is authorized to transfer the sum of ten thousand dollars ($10,000) from the appropriation for Reserve Fund to an appropriation, to he expended under the direction of the Fire Commissioner, for Fire Station, Oak Square and Faneuil section.

The order was passed, yeas 7, nays 0.

ENTERTAINMENT OF ADVERTISING MEN.

Coun. CURLEY—Mr. President, I move that the message of the Mayor and order to transfer $1,500 from Reserve Fund to Mayor, Office Expenses, for the entertainment of the advertising men during their convention here, he taken from the file of the Executive Committee.

Coun. CURLEY—Mr. President, there is no city so rich in historical traditions as the old City of Boston and there is no city in America that offers greater attraction to visitors from any part of the entire world; there is no city that has been more liberal in its appropriations for beautification and development of its magnificent park system, that has such attractions, the handiwork of God and of man. We rejoice in our attractions. In every portion of this country that one visits, where reference is made to Boston, people speak of the delightful time they had here, the splendid historical treasures, the art museums, the magnificent park system and the countless attractions, and I will at this time move that the recommendation of the Mayor relative to an appropriation for the entertainment of a convention of the advertising men be recalled from the Executive Committee.

The motion to recall was carried, and the order was passed, yeas 6, nay 1, Coun. Smith voting nay.

EXTENSION OF BUILDING LIMITS.

Coun. McDONALD offered an order—That the Committee on Ordinances he authorized to give a public hearing on July 11 on the extension of building limits and to advertise the same in the daily papers, the expense attending the same to be charged to the City Council, Incidental Expenses.

Passed.

DAY OFF FOR PICNIC.

Coun. BUCKLEY offered an order—That the Park Commissioners be authorized to allow the employees of the Park Department a day off, without loss of pay, on July 27, the day set for the annual picnic of said employees.

Passed.

COUNTY ACCOUNTS.

Coun. ATTRIDGE, for the Committee on County Accounts, submitted a report on the pay roll of the Register of Deeds (referred to-day), to the amount of $3,929.96—that the same be approved.

Report accepted; pay roll approved and ordered paid.

PROTEST AGAINST INCINERATOR.

Coun. SMITH presented the following petition:

June 26, 1911.

To the Honorable the City Council:

Gentlemen,— We hereby protest against the erection of an incinerator in the city quarry adjoining the New England Women's and Children's Hospital, Ward 22.

Respectfully,
EMMA E. BUTLER,
Secretary Board of Directors.

84 Summer street, Newton.

The petition was ordered spread upon the record on motion of Coun. SMITH.

PARKMAN FUND.

Coun. KENNY, for the Committee on Parkman Fund, submitted the following:

(1) Report on message of Mayor (referred June 13) relative to expenditure of $40,000 on Boston Common for the continuance of the work of soil renovation—that the same he placed on file.

Accepted, and message placed on file.

IMPROVEMENTS, BOSTON COMMON.

Coun. KENNY, for the Committee on Parkman Fund, submitted a report recommending the passage of an order—That the Superintendent of Public Grounds be authorized to expend during the current year the sum of $20,000 for continuation of the work of soil renovation on Boston Common, and to expend $21,100 for completion of Parkman memorial handstand on Boston Common, said amounts to be charged to the income of the George F. Parkman Fund, and to he expended under the direction of the Superintendent of Public Grounds.

The report was accepted, and the question came on the passage of the order.

Coun. SMITH—Mr. President, simply as a matter of information—because I am heartily in favor of these things—I would like to ask what total that makes for resoiling the Common?

Coun. KENNY—Mr. President, the Council last year voted $40,000 for the renovating of the soil, and this $20,000 makes $60,000 so far. It is expected that ultimately it will cost in excess of $100,000.

The order was passed, yeas 7, nays 0.

Coun. KENNY, for the Committee on Parkman Fund, submitted a report recommending the passage of an order—That the Board of Park Commissioners he authorized to expend during the current year the sum of $49,200 from the income of the George F. Parkman Fund, said amount to he expended under the direction of the Board of Park Commissioners for the Aquarium and Zoological Garden.

Coun. SMITH—Mr. President, these undertakings were got under way last year, when I was not a member of this body, and in voting to-day for this appropriation from the Parkman Fund I do so realizing that we have already committed ourselves to these improvements. That is the only reason why I vote for this order, because it seems to me, with what knowledge I have of the improvements referred to—not having the benefit of the debate here last year—that I do not favor them. I think this is taking an undue proportion of the Parkman Fund for these two improvements with a consequent neglect of the parks for which the Parkman Fund was originally left. While I shall vote for this order, it is simply to complete what we are already committed to and which I would not have voted for.

President COLLINS—The Chair would state that the money is devoted to the parks in existence in 1888, and the two parks here referred to were in existence at the time Mr. Parkman's will was made.

Coun. SMITH—Mr. President, I desire to thank you for the information. At the same time I repeat what I have already said, that while the money may technically he for those parks, the purpose to which it is to be devoted is very foreign to Mr. Parkman's intention. No such purpose probably ever entered Mr. Parkman's head. The money was left for the benefit, improvement and upkeep of these parks, and not for aquariums and zoological gardens. While I shall vote for the order, because we are committed to it, I vote for it regretting that the Council of last year voted for these things, under the circumstances.

Coun. CURLEY—Mr. President, we all recognize the right of the distinguished councilor to interpret Mr. Parkman's wishes and intentions in connection with the parks. In the words of the sage, nothing more need be said.

Coun. KENNY—Mr. President, the Council a year ago, after very mature deliberation, decided on the policy of creating in Franklin Park a zoo and in South Boston an aquarium. The action was taken after public hearings held in the old Aldermanic Chamber and after various conferences on the part of the Council through the proper committees. Before the action was taken by the Council an opinion of the Law Department was had, and the Law Department decided that the creation of the zoo and the aquarium was within the terms of the will and was legal and proper. The Council took the precaution before embarking on these two enterprises to get the opinion of the Law Department. Having the opinion of the Law Department it then decided last year to vote certain amounts. This order is in furtherance of the action already taken.

The order was passed, yeas 7, nays 0.

GENERAL RECONSIDERATION.

On motion of Coun. BALLANTYNE the Council refused a general reconsideration of all action taken to-day.

THE NEXT MEETING.

Coun. KENNY—Mr. President, I move that we adjourn to meet on Friday next at four o'eloek p. m.

The motion was dcclared carried.

Coun. SMITH—Mr. President, I would simply say that I cannot be here next Friday, although I don't want that fact to influence the vote of this body.

Coun. BUCKLEY—And I cannot be here.

Coun. CURLEY—And I understand that Coun. Hale cannot be here.

President COLLINS—Does Coun. Smith doubt the vote?

Coun. SMITH—I don't know that I want to doubt the vote, Mr. President. I simply stated that I could not be here at that time, and I now understand that others cannot be here.

Coun. BALLANTYNE—Mr. President, in order to get the matter straightened out, I doubt the vote and ask for a rising vote. I think that the members ought to express their opinion fully at this meeting on Friday. We require six votes to pass some of the orders that will come before us, and if there are three or more members who cannot get here there will be no use in meeting. If Friday is not suitable let us meet some other day.

President COLLINS—The Chair would suggest that the members confer and arrive at some date agreeable to most.

Coun. KENNY—Mr. President, I will ask unanimous consent to withdraw my motion to meet on Friday, and would move that we adjourn to Thursday at four o'clock p. m.

President COLLINS—The Chair would respectfully advise the Council to confer, and declares a recess of a minute or two.

After a short recess it was voted, on motion of Coun. BALLANTYNE, that when the Council adjourn it be to meet on Wednesday, June 28, at three o'eloek p. m.

Adjourned at 8.34 p. m., to meet on Wednesday, June 28, at three o'eloek p. m.

CITY OF BOSTON.

Proceedings of City Council.

Wednesday, June 28, 1911.

Meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair. Absent—Coun. Attridge.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

PUBLIC LANDING, WARD 24.

The following was received:

City of Boston,
Office of the Mayor, June 28, 1911.

To the City Council:

I beg to transmit a communication from the secretary of the Park Department in reply to a request forwarded in compliance with your order passed at the meeting of May 15, 1911, "That the Park Department be requested, through his Honor the Mayor, to acquire land at the foot of Walnut street, Ward 24, and build and maintain a public landing in said location."

Respectfully,
WALTER L. COLLINS, Acting Mayor.

—

City of Boston,
Board of Commissioners
of the Department of Parks,
June 23, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—The Board has received and considered the inclosed order of the City Council, requesting this department to acquire land at the foot of Walnut street, Ward 24, and to build and maintain a public landing in said location, and I am directed to say in reply that the Board has no appropriation which can be drawn upon for this purpose.

Respectfully yours,
GEORGE F. CLARKE, Secretary.

Referred to the Executive Committee.

BATHING BEACH, FREEPORT STREET.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

The need of a bathing beach in the section of Dorchester south of Savin Hill has been repeatedly urged, and the demand seems to me to be a reasonable one, especially in view of the fact that until within a very few years the beach at Freeport street was used for this purpose. I recommend, therefore, the passage of the accompanying order transferring the sum of $9,000 from the Reserve Fund to a special appropriation for a bathing beach at Freeport street, Dorchester.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of nine thousand dollars ($9,000) from the appropriation for Reserve Fund to an appropriation, to be expended under the direction of the Bath Trustees, for the purchase of shore property and the flats adjacent thereto on the northeast side of Freeport street, Dorchester, and the improvement thereof as a bathing beach.

Referred to the Executive Committee.

NEW HEALTH BOAT.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

In my message to your honorable body under date of June 8 I recommended the passage of a loan order appropriating $48,000 for the construction of a new steamboat to take the place of the "Vigilant." I am informed that this order is likely to be rejected by your honorable body, and I beg to substitute therefor and recommend for passage the accompanying order transferring the same amount from the appropriation for Reserve Fund to a special appropriation for a new steamboat to take the place of the "Vigilant."

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of forty-eight thousand dollars ($48,000) from the appropriation for Reserve Fund to an appropriation, to be expended by the Board of Health, for new steamboat.

Referred to the Executive Committee.

BRANCH LIBRARY, EAST BOSTON.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

The need of a new branch library building in the East Boston section has been urged by the Library Trustees and carefully considered by your Committee on Branch Libraries in its report to the City Council dated May 1. The committee in that report expresses its belief "that East Boston should be provided with a separate building, centrally and suitably located, for library purposes as soon as the finances of the city will permit." In my opinion the time has arrived for an appropriation for this purpose, and I recommend the passage of the accompanying order transferring the sum of $50,000 from the appropriation for Reserve Fund to a special appropriation for Branch Library, East Boston.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of fifty thousand dollars ($50,000) from the appropriation for Reserve Fund to an appropriation, to be expended under the direction of the Trustees of the Boston Public Library, for Branch Library, East Boston.

Referred to the Executive Committee.

TEMPORARY BRIDGE, MYSTIC RIVER.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I beg to recommend the passage of the accompanying loan order appropriating the sum of $250,000 for a temporary bridge over the north channel of the Mystic river, between Chelsea and Boston.

My previous messages to your honorable body, dated August 1, 1910, and November 14, 1910, with the accompanying estimates and explanations from the city engineers, may be consulted for information as to the general situation in respect to this bridge. It is understood that under the present instructions from the War Department the city must complete the structure by November 1, 1911, but presumably this time will be extended after proper representations have been made to the Secretary of War.

The loan order for $250,000 twice recommended by me last year was finally rejected on the understanding that I should petition the General Court for legislation which would reapportion the cost of this and similar bridges so that Boston should no longer be compelled to bear an excessive share of

the burden. Legislation effecting this result is now assured, and I believe that the time has come when the work should be under way. With the passage of the bill introduced by me, providing for a reapportionment of the cost, the only possible objection to the adoption of the order attached hereto will have been finally removed.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That the sum of two hundred fifty thousand dollars ($250,000) be appropriated, to be expended by the Commissioner of Public Works, for the construction of a temporary bridge across the north channel of the Mystic river, between the cities of Boston and Chelsea, said bridge to be built in conjunction with the city of Chelsea, under the statutes governing said joint construction, and to serve in place of the present structure, known as "Chelsea Bridge North," and that to meet said appropriation the City Treasurer be authorized, with the approval of the Mayor, to issue bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

TENNIS COURTS, FRANKLIN FIELD.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order transferring the sum of $4,000 from the appropriation for Reserve Fund to an appropriation for Tennis Courts at Franklin Field.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of four thousand dollars ($4,000) from the appropriation for Reserve Fund to an appropriation, to be expended under the direction of the Board of Park Commissioners, for Tennis Courts, Franklin Field.

Coun. HALE—Mr. President, I move that the rule be suspended and that this order be passed. It is one of the items we discussed with the Mayor the other day going over the various park improvements, and I think we all agreed that it should go through. I think it is only by mistake that it was not introduced at our last meeting.

The rule was suspended, the order was read a second time, and the question came on its passage.

Coun. SMITH—Mr. President, may I inquire whether that can be done this summer in time to use the courts this season or not?

Coun. HALE—I think it can be done by fall.

President COLLINS—Does the gentleman ask the question of me?

Coun. SMITH—Of the councilor who introduced the order.

President COLLINS—This is a message from the Mayor, Coun. Smith.

Coun. SMITH—Of the councilor who supported the order.

Coun. HALE—Mr. President, I have never made a tennis court, and I don't know, but my guess would be that it would take about six weeks to make a tennis court. In that case it would be ready for the autumn, which is really the best time you can have for tennis.

President COLLINS—The Chair would state that he called the attention of the Mayor to the absence of this order after the last meeting. Corroborating what Coun. Hale has said, the fact that it was not sent in was an oversight. This money will be available forthwith and the tennis courts can be used within a few months at the outside.

Coun. SMITH—Mr. President, I am very much in favor of the granting of the money for the courts, but unless the courts were to be used very soon I thought it was a pity to deprive the inhabitants about there of the opportunity to use the space otherwise this summer during the progress of the work. It seemed to me that it would be better to have the work done in the fall so that the courts could be used next year and allow this space to be used this summer.

The order was passed, yeas 8, nays 0.

PLAYGROUND IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1911.

To the City Council:

Following out the general scheme of playground improvements recommended by the Park Commissioners in a letter of their chairman dated March 29, 1911, and transmitted to your honorable body at its meeting of April 10, 1911, I desire to recommend the transfer of the sums designated in the accompanying order from the appropriation for Reserve Fund to the appropriation for Playground Improvements specified in said order.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the following sums from the appropriation for Reserve Fund, to be expended under the direction of the Board of Park Commissioners, for the purposes designated below:

Franklin Field:	
Grading	$10,000 00
Cottage Street Playground:	
Grading and fencing	750 00
Columbus Avenue Playground:	
Grading and gateways	2,000 00
Total	$12,750 00

Rule suspended and order passed, yeas 8, nays 0.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Jane Maguire, for a hearing on her claim on account of a defect in Norfolk street.

Tobias Klueher, to be paid for damage to estate, 68 Chestnut avenue, by backing up of sewage.

Executive.

Petitions were received for licenses to sell, rent or lease firearms, viz.:

Louis Pearlstein, 226 Pleasant street, Ward 10.
South Boston Loan Company, 209 Broadway, Ward 13.
Max Rosnov, 1060 Washington street, Ward 9.
Edward A. Grout & Co., 111 Summer street, Ward 7.
Abraham Lipkin, 31 Green street, Ward 8.
Samuel Cohen, 76 Merrimac street, Ward 8.
Jacob Cohen, 61 Merrimac street, Ward 8.
Max Levine, 112 Merrimac street, Ward 8.
Chandler & Barber, 124 Summer street, Ward 7.
Hyman Swansky, 146 Northampton street, Ward 12.
Jacob Schneider, 55 Green street, Ward 8.
Samuel Scheinfeldt, 489 Tremont street, Ward 10.
Gutlon Brothers, 2012 Washington street, Ward 17.
Abraham Berman, 346–348 Hanover street, Ward 6.
S. J. Diah & Co., 68 Beach street, Ward 7.
Decatur & Hopkins Company, 124 High street, Ward 7.
M. L. Silverstein, 285 Hanover street, Ward 6.
Joseph Hyams, 152 Summer street, Ward 7.
Harry Levine, 166 Pleasant street, Ward 10.
Harry Mortimer, 9 Cornhill, Ward 6.
Harris Wilensky, 51 Pleasant street, Ward 7.
Berkman & Wilensky, 64 Pleasant street, Ward 7.
Michael S. Rosenbaum, 59 Shawmut avenue, Ward 7.
Louis Lefkovich, 138 Merrimac street, Ward 8.
Appleton Hardware Company, 53 Eliot street, Ward 7.
The Tosi Music Company, 279 Hanover street, Ward 6.
Joseph Pearlstein, 129 Staniford street, Ward 8.
S. Robinson & Co., 140 Eliot street, Ward 7.
Simon Robinson, 295 Tremont street, Ward 7.
Ruhin & Snider, 54–58 Shawmut avenue, Ward 7.
Goldberg Brothers, 227 Pleasant street, Ward 7.
Frederick H. Doell, 11 Dock square, Ward 6.
M. F. Rosenthal, 33 Border street, Ward 2.

M. F. Rosenthal, 360 Washington street, Ward 25.

M. L. Yavner, 281 North street, Ward 6.

The rule was suspended, on motion of Coun. HALE, and the licenses were granted on the usual conditions.

CLOSING OF FANEUIL HALL SQUARE.

Coun. McDONALD offered an order—That the Police Commissioner be authorized to close to travel by vehicles, except fire, police, hospital and mail wagons, on Tuesday, July 4, 1911, between the hours of 10 a. m. and 12 noon, the streets and square surrounding Faneuil Hall; and the City Messenger is hereby authorized to rope off the above-named streets and square, the expense thus incurred to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

PUBLIC LANDS.

Coun. SMITH, for the Committee on Public Lands, submitted a report on communication from A. M. Johnson (referred February 13) for sale of city land—recommending the passage of the following:

Ordered, That under the provisions of chapter 122 of the Resolves of 1846 the Board of Street Commissioners be hereby authorized by the Mayor and City Council of the City of Boston, as successors of the selectmen and inhabitants of the town of Dorchester, to sell, on or before September 1, 1911, at public auction to the highest bidder, a lot of land at the northeast corner of Gibson street and Dorchester avenue, containing 5,631 square feet, more or less, and the adjoining lot containing 4,353 square feet, more or less, held in trust under the will of Christopher Gibson, the sale of this land to net the city not less than four thousand dollars ($4,000); and that all moneys received for said land be paid to the City Treasurer, to be held as part of the Gibson School Fund.

The report was accepted and the question came on the passage of the order.

Coun. CURLEY—Mr. President, I would ask the chairman of the Committee on Public Lands, through you, what use is made of this land at the present time, if any?

Coun. SMITH—Mr. President, there is no use made of the land, although there has been some dumping there, which is not allowed. It is a corner lot, at the corner of Gibson street and Dorchester avenue. Perhaps you may remember the lot.

Coun. CURLEY—Mr. President, I will ask Mr. Smith, through you, if that could not be used for a neighborhood playground or for some such purpose?

Coun. SMITH—It is directly across the street from the Gibson Street Playground, which seems to be ample for that neighborhood.

The order was passed, yeas 8, nays 0.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the constables' bonds of Robert N. McClellan, George H. Nason and Charles H. Reinhart.

Approved by the City Council.

KEEPING OF OIL.

Notices were received from the following-named parties that the hereinafter named buildings were used for the storage of oil, and of intention to use for the ensuing year, viz.:

S. P. Blackburn & Co., 287 Atlantic avenue, Ward 6.

George H. Wood Corporation, 431 Medford street.

Placed on file.

APPOINTMENT OF ART COMMISSIONER.

Notice was received from the Mayor of the appointment of Edwin F. Atkins to the position of Art Commissioner, a certified copy of the same having been delivered to the Civil Service Commission.

Placed on file.

BOND FROM MICHAEL RUSSO & SON.

Notice was received from the Metropolitan Water and Sewerage Board inclosing bond of indemnity from Michael Russo & Son to the City of Boston, given under the provisions of chapter 339 of the Acts of 1897, said bond having been filed June 27 in office of City Clerk, and deposited in City Auditor's office.

Placed on file.

APPOINTMENT OF BOARD OF APPEAL.

The following was received:

City of Boston,
Law Department, June 27, 1911.

To the City Council of Boston:

Gentlemen,—In reply to your order of June 26 I will say that in my opinion the passage of chapter 631 of the Acts of 1910 did not operate to exempt the members of the Board of Appeal from the approval of the Civil Service Commission under sections 9 and 10 of chapter 486 of the Acts of 1909. My reason for this opinion is that the only change made by the Act of 1910 in the Act of 1907 was inserting the words, "or is absent from illness or other cause." Chapter 631 is not a new act; it simply amends chapter 550 of the Acts of 1907 by inserting a few words.

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

Placed on file.

LOCATIONS FOR WIRES, ETC.

The following was received:

City of Boston,
Law Department, June 27, 1911.

To the City Council of Boston:

Gentlemen,—I am requested to inform your body at its next meeting what in my opinion is the effect of the passage of chapter 509 of the Acts of 1911 as to conferring upon the Mayor and City Council the right to grant locations for wires, piers, conduits, abutments, etc.

In my opinion it has no such effect. By the charter amendments of 1909 the powers and duties of the Board of Aldermen in granting such locations were transferred to the Street Commissioners. The Act of 1911 merely amends prior statutes by conferring additional powers and duties upon the Boards granting these permits and locations.

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

Placed on file.

SALE OF CITY LAND.

The following was received:

City of Boston,
Board of Commissioners
of the Department of Parks,
June 28, 1911.

City Council, Boston, Mass.:

Gentlemen,—Herewith is a copy of a letter sent June 26 by the Park Commission to his Honor the Mayor, and a copy of the Mayor's reply, through his secretary, dated June 28,

The Statutes of 1889, chapter 274, section 3, provide that the Park Commissioners when authorized by the City Council may sell, etc., etc., with the approval of the Mayor, etc., etc., and use the proceeds in payments for any lands taken for park purposes.

The Park Commission requests authority from the City Council to sell a triangular piece of land measuring by the atlas 66,672 square feet between Chestnut Hill avenue and Commonwealth avenue, the proceeds to be spent on the purchase of other lands for park purposes within the limits provided by the act.

Yours truly,
ROBERT S. PEABODY, Chairman.

June 20, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—On the north side of Chestnut Hill Park there is some land intervening between Evergreen Cemetery and the park land. A portion of

this is occupied by Wade street and on each side of it are lots at present unoccupied. This land has been offered to the city by its owner Mrs. M. M. Cunniff. The park at present owns the whole frontage towards the reservoir and blocks the extension of Wade street. If the park possessed the land in question there is about 67,000 feet on the west side of Wade street, about 46,000 on the east side, and about 30,000 feet in the area of Wade street, or a total of about 143,000 square feet. The assessed valuation of 1910 of that portion which does not include Wade street is $26,400.

This land can probably be obtained on advantageous terms. We have, as you know, no money to expend upon this land. It is, however, provided in the Statutes of 1889, chapter 274, section 3, that the Park Commissioners when authorized by the City Council may sell, etc., with the approval of the Mayor, etc., and use the proceeds in payment for any lands taken for park purposes.

Nearly opposite the property under consideration, or rather between Chestnut Hill avenue and Commonwealth avenue, the park owns a triangular piece of land, measuring by the atlas 66,672 square feet. It is separated entirely from the park land by Commonwealth avenue and no one would suppose as they passed by that it formed any portion of the park estates. Our suggestion is that we sell this land and use such of the proceeds as may be necessary, possibly for the purchase of the land now under discussion or for any other land that the act would permit us to buy for park purposes. Will you please consider this matter and let us know if it would meet with your approval, in which case we should present the proposition to the City Council.

Yours truly,
ROBERT S. PEABODY, Chairman.

—

City of Boston,
Office of the Mayor, June 28, 1911.

Mr. Robert S. Peabody,
Chairman Park Commissioners,
Pine Bank, Olmsted Park, J. P.:

Dear Sir—I am directed by his Honor Mayor Fitzgerald to say that the suggestion contained in your letter of June 20, to the effect that the Park Commissioners, with the approval of the City Council and the Mayor, dispose of a tract of land now in their custody, between Chestnut Hill avenue and Commonwealth avenue, and that the proceeds be applied to the purchase of certain lots recently offered for sale by their owner, Mrs. M. M. Cunniff, or of other lots for park purposes, meets with his approval, and he believes the transaction would be an advantageous one for the city.

Yours very truly,
WILLIAM A. LEAHY, Secretary.

—

City of Boston,
Office of the Mayor, June 28, 1911.

Thomas M. Babson, Esq.,
Corporation Counsel, Boston, Mass.:

Dear Mr. Babson—Inclosed you will find the correspondence to be presented to the City Council from the Park Department. As I suggested in my telephone conversation, it would seem to be desirable that the Law Department should examine the letter of the chairman of the Board of Park Commissioners to make sure that the petition is legally correct, and should draw up an order which the Council, if it is so disposed, might pass at to-day's meeting. As I understand it they are to adjourn over a month and the matter is believed to be a somewhat urgent one.

Yours very truly,
WILLIAM A. LEAHY, Secretary.

—

Ordered, That the Board of Park Commissioners be and hereby is authorized to sell, on such terms as said Board with the approval of the Mayor may deem proper, a parcel of land in the Brighton district, so called, bounded southerly by Commonwealth avenue and northeasterly by Chestnut Hill avenue, and containing as shown on the atlas about 66,672 square feet.

The matter was declared referred to the Committee on Public Lands.

Coun. CURLEY—Mr. President, I would move reconsidcration of that reference, and if reconsideration prevails, I shall then move reference to the Executive Committee.

Reconsideration prevailed, and on motion of Coun. CURLEY the matter was referred to the Executive Committee.

HIGH PRESSURE SERVICE.

President COLLINS called up No. 1, unfinished business, viz.:

1. Ordered, That the sum of one hundred and fifty thousand dollars be and hereby is appropriated to be expended under the direction of the Commissioner of Public Works for the construction of a high pressure fire service in the City of Boston, in accordance with the provisions of chapter 312 of the Acts of 1911, and that to meet the said appropriation the City Treasurer be hereby authorized to issue, from time to time, on the request of the Mayor, bonds of the City of Boston to said amount for said purpose.

The order was given its final reading and passed, yeas 8, nays 0.

MINORS' LICENSES.

President COLLINS submitted applications of six newsboys for minors' licenses—recommending that the same be granted.

Licenses were granted on the usual conditions.

FEES FOR VAULTS AND PROJECTIONS.

Coun. KENNY—Mr. President, on the first of May, 1911, the Mayor submitted to the Council, to use his own words, "a draft of an order fixing the fees provided for in the charter for the storage and sale of gasolene, oil and other inflammable substances or explosive compounds," and also in respect to fees for——

President COLLINS—Does the Chair understand the gentleman to offer an ordinance?

Coun. KENNY—To make a motion, Mr. President.

President COLLINS—What is the gentleman's motion?

Coun. KENNY—I was going to make the motion, Mr. President, after completing my preamble.

President COLLINS—The Chair would state that there is no business before the Council unless a motion is made.

Coun. KENNY—I am making a motion.

President COLLINS—There is no motion.

Coun. KENNY—I am stating it now.

President COLLINS—Will the gentleman state his motion?

Coun. CURLEY—Mr. President, I submit a report of the Executive Committee.

Coun. KENNY—Mr. President, I move that the matter which is now pending before the Committee on Ordinances with respect to the determination of fees or charges for coal holes, vaults, bay windows and marquises be recalled from the files of the Committee on Ordinances, for the following reasons—and I was about to state those reasons for making a motion which I thought was entirely proper. On the 1st of May the Mayor submitted to the Council a draft of an ordinance with respect to the determination of these fees. That matter has been up before the committee from time to time; it has been the subject of one public hearing and of several conferences. The question has now arisen as to when this ordinance or proposed ordinance could become operative, and it seems to me, therefore, that the Council should take some action this afternoon. If the Council recalls the matter from the committee, I would then ask to have the proposed ordinance rejected, and I will then immediately resubmit it, to be referred over again to the proper committee. I simply do that in order to save any question as to the ordinance becoming effective within sixty days.

President COLLINS—The question is on Coun. Kenny's motion. The Chair wishes to state that no business is before the house unless a motion is made or an order presented, and the Chair will not entertain remarks by a member who rises and talks without a motion being before the Council. The question is on Coun. Kenny's motion to have the ordinance referred to recalled from the Committee on Ordinances.

Coun. BUCKLEY—Mr. President, I have listened to the gentleman's argument, and it seems to me that out of courtesy to the Committee on Ordinances this matter should be considered in executive session, so that we may there act upon it without having it recalled from the committee. It does not seem to me exactly right to recall a thing from a committee when we could have a

meeting of the committee and bave it considered there. Tben if the committee was in favor of rejecting the ordinance it could so report to the Council. I hope the gentleman's motion will not prevail.

Coun. KENNY—Mr. President, I am merely trying to straighten out this matter and prevent its becoming effective. I understand that this is the only method we can adopt having that end in view. I took the precaution of hringing it to the attention of the chairman of the committee, and I have his consent. He is quite agreeahle to my making the motion in the Council — which is done not with any idea of slighting the Council, but in order to prevent the ordinance from becoming operative at this time. I cannot see why, under the circumstances, there sbould be any objections to the motion.

President COLLINS—Tbe Chair would ask whetber there were recommendations attached to the ordinance suhmitted.

Coun. KENNY—Mr. President, tbe Mayor suhmitted a communication, which I bave already quoted, saying: "I beg to transmit a draft of an ordinance." As I say, that may not become effective, hut in order to save any question I think we ought to take the action I suggest.

President COLLINS—If any question is raised on that point, I will rule tbat it does not become effective under that communication.

Coun. CURLEY—Mr. President, I would ask if the original recommendation of the adoption of the ordinance came from the Mayor.

Coun. KENNY—Mr. President, I so understood, under date of May 1, 1911.

Coun. CURLEY—Mr. President, I should like to ask the City Clerk, through you, if that is his understanding.

By direction of the President, the assistant City Clerk read the communication transmitting tbe ordinance referred to, as follows:

City of Boston,
Office of tbe Mayor, May 1, 1911.

To tbe City Council:

I heg to transmit a draft of an order fixing the fees provided for in the charter for the storage and sale of gasolene, oil and other inflammahle substances or explosive compounds, and for the construction and use of hay windows, marquises, vaults and coal hole openings. This draft has been prepared after careful consideration hy the Board of Street Commissioners and its form bas been approved by the Corporation Counsel.

Respectfully,
JOHN F. FITZGERALD, Mayor."

Coun. CURLEY—Mr. President, as that is read by the Clerk, I should say that was simply a message of transmittal and not an order to the City Council. I should like to ask if there is any order in connection with it.

President COLLINS—Tbere is an ordinance, but no recommendation.

Coun. CURLEY—There is no recommendation in reference to its adoption?

President COLLINS—The Chair rules there is no recommendation witb this instrument.

Coun. McDONALD—But the Mayor sent here the same kind of recommendation in connection witb the proposed consolidation ordinance that he withdrew. He asked the Corporation Counsel whetber it became operative or not within sixty days, and was told that there was a question about it, and he said, in order to satisfy himself and not get into the same kind of tangle we got into before, be would withdraw the consolidation ordinance and resubmit it. Mr. Kenny and I bave looked over that hay window and marquise ordinance, and we think it is the same kind of recommendation as in the case of the consolidation ordinance. In order not to bave it become a law and have us get into the same kind of tangle, Mr. Kenny agreed to have it killed here and then resuhmit that same ordinance to-day and let it run sixty days. Tbe Mayor will be back then, and tbat will solve the prohlem.

Coun. Kenny's motion to recall the ordinance referred to from the Committee on Ordinances prevailed.

Coun. KENNY—Mr. President, I now desire to ask the Council to reject that ordinance, and thereupon I shall resubmit the ordinance.

Coun. Kenny's motion to reject tbe ordinance was carried.

Coun. KENNY—Mr. President, I now desire to submit and place before the Council that same ordinance wbich the Clerk has in respect to this matter.

President COLLINS—The Cbair rules tbat this ordinance bas not been redrafted, and that there must be a new draft placed before the Council.

Coun. KENNY—Very well, Mr. President; I think that is all rigbt. Tbere is no barm done, as it has been rejected. At the next meeting we can submit a new draft, which I will do. I desire it understood at this time that I do not necessarily favor tbe ordinance, but in order to save the Mayor's rights and the rights of the Council in the matter, I make that suggestion. I will resuhmit, without prejudice to my own position in the matter, another draft of the same ordinance.

Coun. CURLEY—Mr. President, I desire, tbrough you, to make a parliamentary inquiry of the chairman of the Committee on Ordinances. I would like to ask when it is proposed to have a meeting of that committee to consider the amendment of the ordinance with reference to the height of firemen.

Coun. McDONALD—Mr. President, we bad a meeting the other day and had the commissioner here, hut did not have memhers enough present to act upon the matter. I notified everybody to be bere, and hecause of tbe summer weatber I did not call another meeting. We had a meeting the other day and were going to take up the height of firemen, the curfew ordinance, and this other ordinance, but we had just barely a quorum—and wben we got through we did not have a quorum and had to adjourn.

Coun. CURLEY—Mr. President, through you I should like to ask Coun. McDonald if it would be possible to bave a meeting of the Committee on Ordinances between now and the time to wbicb the Board proposes to adjourn?

Coun. McDONALD—If it is possible I will call a meeting between now and then.

EXECUTIVE COMMITTEE REPORTS.

Coun. CURLEY, for tbe Executive Committee, submitted the following:

(1) Report on petition of Boston Elevated Railway Company (referred June 26) for temporary location at corner Dover and Wasbington streets—recommending tbe passage of the following:

Ordered, Tbat the proposed location by the Boston Elevated Railway Company for a temporary elevated station at Wasbington and Dover streets, Boston, as shown on Plan No. 28207, filed with City Clerk, he and the same is hereby approved, so far as it is upon public ways or places.

Report accepted; order passed.

(2) Report on order (referred June 26) that the salary of the male assistant prohation officer of the Municipal Court of tbe Roxbury district, determined by the justice of said court, at the rate of $1,800 per annum, to begin April 20, 1911, he and the same is hereby approved—that the order ought to pass.

President COLLINS—The question is on tbe acceptance of the report and the passage of tbe order.

Coun. BUCKLEY—Mr. President, wouldn't it he possible to divide that question—to accept thc committee's report first and then put the question on the passage of tbe order?

President COLLINS—Yes.

The report was accepted and the question came on the passage of the order.

Coun. BUCKLEY—Mr. President, I move an amendment to the order, making the salary $1,500 instead of $1,800, and I do so for this reason. As a rule I do not oppose a person getting all he can for himself, hut here is a new man who is employed by the county in the Roxhury Court, and who starts in with a salary of $1,800, while the probation officers in all the other district courts in Boston get $1,500. He is only an assistant prohation officer.

Coun. HALE—Mr. President, I rise to a point of order. I do not helieve that the amendment offered by Mr. Buckley is legal. I helieve that the Council may either accept or reject the recommendation of the judge, hut may not amend it. I may not be rigbt on that, but I would like a ruling of the Chair.

President COLLINS—The Chair rules that this is a communication bearing upon the approval or disapproval of an order of the judge of the Roxbury District Court. It can be approved or disapproved, but it cannot he amended, and tbe Chair rules the point of order well taken.

Coun. BUCKLEY—Mr. President, of course under those circumstances I withdraw my amendment, but I ask the Council as things stand not to approve the order, It is not right that an assistant probation officer should start in at the rate of $1,800 a year, when the probation officers in all the other district courts of Boston get only $1,500 a year. They have also only one woman assistant, and in proportion to the number of employees in the court they do as much work if not more than is done in the Roxbury District Court. The claim will he made that this man gave up a position on the police force of the city, hut on the police force he got only $1,200 a year and worked just as long hours, and his work was more dangerous than it is at the present time. The $300 increase is to my mind a good, large sum for this man. There is already in this court an assistant prohation officer who has heen there two or three years and that man is getting only $1,500 a year, and why should a new man who is strange to the duties of a probation officer get $1,800 a year? I don't think it is right. If you pass this order here to-day you will have the prohation officers in here from every district court in Boston asking for an increase in their wages. I am favorahle to increases in wages, hut I do not helieve in starting a man in at the highest rate of wages he can possihly get. I suppose because this is $1,800 you might call it a salary, and not wages. At the same time I do not believe we are acting rightly in passing this order to-day, and I hope it will he rejected. It seems to me that $1,500 is ample. Over in Charlestown, where they do a very hig business, a man who has been there for years, who comes early every morning and on Sundays in order to place men on probation, and who also attends to the juveniles, is not being treated anything like as well, accordingly, as it is proposed to treat this man. In Roxhury there is an officer who gets $2,000 a year, a probation officer who gets $1,500 a year, and a woman. When it comes to work, as much work is being done in some of the other district courts of Boston. They compare the Roxhury Court with the Central Court. That is not right. People are hrought into the Central Court from all over the State, while in the Roxhury Court they get people practically only from Roxbury and Brookline. I suppose they think, however, because they take Brookline people that this man ought to have a larger salary. I hope the Council will reject the order, and I for one will vote against it. The amount is larger, in my opinion, than a man starting in ought to get. He got only $1,200 a year as a policeman, and I believe $1,800 a year is more than he is worth as a new man in this position.

Coun. SMITH—I quite agree with Coun. Buckley in hoping that the Council will reject the recommendation of the committee for this reason. I have always stood for standardization of salaries and wages throughout the city employ. Here we are introducing the principle of not having a standard wage even in the same department. None of these district courts pay at the beginning such a salary as it is proposed to give this man under the order, and it seems to me that we are opening the doors for requests for increases of salaries throughout the district courts. I anticipate that there will be request after request for increases of salaries, even in this same court, if we grant $1,800 to this man, and that the standard of wages will he thrown out of gear hy granting an increase of wages as large as this at the beginning of a man's service. It seems to me we should, in view of the fact that we have no standard wage or prohation officers in the district courts, start a man in where others have heen started, at a lower salary than the order calls for. I should like to see a standard wage not only in this department but for similar work in other departments. I think the city is not doing the right thing by the laboring man. If in one department it pays a certain wage for certain work and in another department a higher or lower wage for the same work, and if by such action as is proposed we are setting up different standards in the same department, there will be request after request coming in for increases throughout the courts.

Coun. HALE—Mr. President I agree with Coun. Smith in regard to the importance of having standardization of wages, but I think that is really just what we are now doing. The judge has said—and I think he gave a pretty good argument for it—that he thought a juvenile probation officer should get $2,000. He said that because the officer in the municipal court of Boston has only $1,800, at the present time it would be foolish to try to raise the salary higher than $1,800, but I think we should, hearing in mind the number of cases in the Roxbury Court, place the salary of this officer at $1,800. Then if another court comes in,—for instance, like the Charlestown Court,—I think we should determine the salary of the officer on the same hasis, the number of cases handled. If that particular probation officer handles less prohation cases than the man to whom it is now proposed to give $1,800 he should receive a smaller salary; if he handles more prohation cases, he should receive a larger salary. I think we are perfectly safe in saying that $1,800 is little enough, hecause the judges all said that the standard should be $2,000 for a probation officer working full time with as many cases as they have at Roxhury. For that reason I am in favor of this order. I think the talk ahout another man in this particular court having less pay is really more or less heside the point. In the first place, it is admitted by the judge that the other man is underpaid, and I think the judge convinced most of us that that other man should have $1,700 and not $1,500; and unless some new facts develop I should he perfectly willing to vote an increase for that man whenever the matter comes up. But the mere fact that one man is underpaid, and admittedly underpaid, is, it seems to me, no reason why we should underpay this new man. I am, therefore, ready to vote for this order now.

Coun. BUCKLEY—Mr. President, in my argument I did not claim that any man was underpaid, and I don't claim so now. I don't claim that the juvenile man in the Roxbury Court is underpaid. I said he had been there two or three years and that he was getting only $1,500, and it seemed to me the new man coming in should be satisfied to work for $1,500. They don't have such long hours. They get out in the morning and have the afternoons of their own. There are plenty of good, clean, clever, conscientious men who would make good probation officers, and who would he perfectly willing to work for even $1,200 a year, and it seems to me that $1,800 is too high.

Coun. SMITH—Mr. President, I listen with a good deal of interest to Coun. Hale's remarks ahout standardization. It seems to me that that is an excellent idea. But we have not had suhmitted to us any facts or figures in regard to the numher of prohation cases taken care of by this new officer of the Roxhury Court in comparison with others. If they want to show us that one officer is getting $1,700 and takes care of a certain numher of prohation cases, and that this man takes care of the same numher of cases and that he should, therefore, get $1,700, the amount that other officers in other district courts doing the same amount of work get that might have some bearing upon the matter. But until we get some facts, we should go slowly. We should not create false standards and only make trouhle in the other courts. It is useless to compare a district court with the central court If they suhmit to us proof that the men in the other district courts handle a less number of cases than this man will handle, that is a reason for giving this man more; hut until they do so, it seems to me we may he putting out of gear the other men's salaries.

Coun. KENNY—Mr. President, I would say to my friend on the left that this condition of affairs does exist—that the business of this court ranks next to that of the central court, the court doing the largest husiness of any of the suhurban or districts courts. We have had the judge of that court before us this afternoon and he has given us his opinion, and certainly he is the man who occupies a position which gives him the hest idea in regard to the necessity for this action. He tells us that this officer is called into service at five o'clock in the morning and frequently works until nine or ten at night. Two wrongs do not make a right, and if the other officer connected with the court is underpaid, let his case he investigated. It seems to me, inasmuch as we called the judge in here and kept him in here an hour and a half this afternoon and got that as a result of his hest judgment, he being the one who has the oversight and charge of this man and who knows what his duties are, and inasmuch as he considers that $1,500 is proper pay for the position, we are justified in adopting his recommendation. Therefore, I feel justified in voting for the order.

Coun. BUCKLEY—Mr. President, I move that further consideration of this matter be postponed until the next meeting, until we can get information from the other district courts in Boston, so that we may arrive at a standard.

Coun. Buckley's motion to assign to the next meeting was declared carried. Coun. BAL-

LANTYNE doubted the vote and asked for the yeas and nays.

The motion to assign was lost, yeas 3, nays 5.

Yeas—Coun. Buckley, Collins, Smith—3.

Nays—Coun. Ballantyne, Curley, Hale, Kenny, McDonald—5.

The question came on the passage of the order.

Coun. SMITH—Mr. President, I would like to ask—as this motion seems on the point of going through, if any of the gentlemen voting in favor of it know exactly how many probation cases are being taken care of by the probation officers in the other courts getting $1,700 a year? Mr. Kenny intimated that he had the facts and figures on the subject and that he was voting according to the facts and figures. I should like to ask him to furnish the Council with that information.

Coun. CURLEY—Mr. President, I would say for the benefit of Coun. Smith that all that information was contained in the brief submitted by the judge.

Coun. HALE—Mr. President, I would say that I don't think the inquiry by Coun. Smith has anything to do with the issue at all. We have had an expert, a trained man, who has followed this matter and who knows what this man does, come in and say to us that he is worth $2,000. I am perfectly willing to take my stand to-day, that if we grant him $1,800 we can figure out the number of cases that that man is getting and that other probation officers in different parts of the city get, and, according to whether the number is more or less, there can be a standardization. I take this position, based on what has been stated to us by an expert, the judge, that a man doing this kind of work is worth $1,800; and if a $1,700 man in Charlestown comes in and shows that he is doing the same amount of work I believe his pay should be raised to $1,800.

Coun. BUCKLEY—He is getting only $1,500.

Coun. HALE—Well, if he does the same amount of work his pay should be raised to $1,800.

Coun. KENNY—Mr. President, I respectfully commend to my friend on the left (Coun. Smith) the memorandum or brief submitted this afternoon by the judges. If the gentleman had devoted some time to the examination of the paper perhaps he would not have detained the Council as he has by asking questions. I would also state that the business of this court is the largest of any of the district courts, ranking next to the central court of Boston.

Coun. BALLANTYNE—Mr. President, I move that the vote be taken by roll call.

Coun. BUCKLEY—Mr. President, I have not had an opportunity, getting in late, to examine that paper, and I believe, from the short time the committee considered the matter, that very few of the members really know what it contains. But as Coun. Kenny knows offhand what that brief contains, I would like to ask him, through you, to give us the information so that we may understand the matter.

Coun KENNY—Mr. President, the gentleman had the same opportunity of coming before the committee and giving proper attention to the matters presented to the committee that I had. I left my office this afternoon and came here at some personal inconvenience. It was his duty to be here and get that information, and I decline to furnish the information to him. He can get it by reading the paper.

Coun. BUCKLEY—Mr. President, I don't quite like the way the gentleman from South Boston talks about inattention to committee business. I would like to tell him that I am here at committee meetings just as often as he is, and that I pay just as much attention to city business as does the gentleman from South Boston.

The order was passed, yeas 6, nays 2, Coun. Buckley and Smith voting nay.

Coun. BALLANTYNE moved a reconsideration of the vote, hoping it would not prevail; lost.

(3) Reports on message of Mayor and communications (referred June 26) relative to probation officer at Municipal Court of the Roxbury district—that the same be placed on file.

Report accepted; said message and communication placed on file.

(4) Report on message of Mayor, communications and order to transfer the sum of $13,000 from the appropriation for Reserve Fund to an appropriation for Extended Use of School Buildings, to be expended under the control of the Superintendent of Public Buildings—that the order ought not to pass, and that the Corporation Counsel's opinion be printed with report.

The Corporation Counsel's opinion is as follows:

City of Boston,
Law Department, June 27, 1911.

To the City Council of Boston:

Gentlemen,—There has been referred to me for my opinion as to its legality the following order:

"Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized, with the approval of the Mayor, to transfer the sum of thirteen thousand dollars ($13,000) from the appropriation for Reserve Fund to an appropriation for Extended Use of School Buildings, to be expended under the control of the Superintendent of Public Buildings."

In my opinion the City Council has no right under the statutes to make an appropriation of this kind, and if the transfer was made the money could not be expended for the purposes indicated in sundry papers which accompany the Mayor's recommendation.

The city has no power under the statutes to expend the money of the taxpayers for purposes not authorized by law. The only authority for towns or cities to expend money for such purposes would be that the expenditures were made for school purposes.

Since 1898 the City Council of Boston has had no authority to appropriate money for school purposes, and in the phrase "school purposes" is included by statute the care, custody and control of buildings used by the public schools, the compensation of janitors, the fixing of their compensation and duties.

In 1898 the School Committee were given the sole authority to appropriate money for school purposes. Chapter 388 of the Acts of 1909 provides that the School Committee of the City of Boston in each year may make such appropriations by items for the support of the public schools as it deems necessary. The total amount to be thus appropriated for the public schools of the city and their support in addition to the money which may be given therefor, the income collected, the balance of appropriations of years preceding such year, and the money which may be authorized by acts of the General Court, shall not exceed for the financial year ending on the thirty-first day of January in the year 1911, $3.60 upon each one thousand dollars of the valuation on which the appropriations of the City Council are based. This act and an amendment thereto provides what proportion of this $3.60 shall be appropriated solely for new school buildings, lands, yards and furnishings and for repairs and alterations of school buildings.

I am informed that the total amount which can be thus appropriated for the public schools of this city and their support, including the care, custody, etc., of school buildings, has been appropriated by the School Committee. If so, no more money can be expended until the Legislature changes this limit.

In carrying out the idea of preventing the City Council or any officer of the city except the Schoolhouse Commissioners and the representatives of the School Committee from having anything to do with the schools or school buildings, sundry statutes have been passed, and the charter amendments of 1909 were framed in accordance with the statutes and this idea.

Section 2 of chapter 486 of the Acts of 1909 contains the following: "The Mayor from time to time may make to the City Council in the form of an ordinance or loan order filed with the city clerk such recommendations other than for school purposes as he may deem to be for the welfare of the city."

Section 3 says: "All appropriations other than for school purposes to be met from taxes, revenue or any source other than loans shall originate with the mayor, who within thirty days after the beginning of the fiscal year shall submit to the City Council the annual budget of the current expenses of the city and county, and may submit thereafter supplementary budgets until such time as the tax rate for the year shall have been fixed."

Before the city charter amendments it was provided that the City Council should have authority to make appropriations of all public moneys except for the support of the public schools.

I am unable to say how the laudable object of the petitioners in the papers accompanying the recommendation of the Mayor can be carried out unless the Legislature gives authority to the City Council to appropriate money for this purpose or the School Committee makes an appropriation for

the purpose either from the appropriation for school purposes or else from money contributed by persons desirous of accomplishing the objects set forth in the petition.

Another legal objection is that as under the statutes the School Committee has the care, custody and control of the school buildings, the appointment of the janitors and the fixing of their duties and compensation, the Superintendent of Public Buildings would have no more right than any other citizen to enter the school buildings, increase the compensation of the janitors and their duties or direct them when to open and close the schoolhouses during the summer.

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

Laid on the table on motion of Coun. Hale.

PROVIDENCE STREET RESTRICTIONS.

On motion of Coun. CURLEY the Council took up special assignment of order for removal of Providence street restrictions, and the order was given its first reading and passage, yeas 7, nays 1, Coun. Buckley voting nay.

THE NEXT MEETING.

Coun. KENNY—Mr. President, I move that when the Council adjourns it be to meet again at three o'clock on Friday, July 7.

Coun. CURLEY—Mr. President, I assume that the meeting a week from Friday will probably be the last meeting for about five or six weeks, and if such is the case, I would move to amend that we meet at two o'clock. There will probably be a good many matters to clean up and it may take up until a late hour. I move that as an amendment.

Coun. KENNY accepted the amendment, and it was voted that when the Council adjourned it be to meet on Friday, July 7, at two o'clock p. m.

Coun. CURLEY—Mr. President, I move that the Board now take a recess subject to the call of the Chair.

Coun. BUCKLEY—Is there any reason why we should not adjourn now, Mr. President?

President COLLINS—The Chair will state that there are several matters before the Executive Committee, but the Chair waits the pleasure of the Council. If the Council desires to go into those matters this afternoon, well and good; if not, the Chair is entirely content. The Chair is content to do as the Council sees fit.

Coun. HALE—Mr. President, I move as a substitute motion that the Board adjourn. We originally asked Mr. Sullivan to be here at four o'clock, and it was then changed to quarter past five. We have now kept him waiting for an hour and five minutes.

President COLLINS—The Chair would state that the gentleman is out of order; that the motion is not debatable.

Coun. HALE withdrew his motion to enable Coun. Ballantyne to move a general reconsideration.

GENERAL RECONSIDERATION.

Coun. BALLANTYNE moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail.

Coun. CURLEY—Mr. President, several matters have been referred to the Executive Committee, of which some disposition might be made speedily, and we could then be prepared to act upon those matters at the next meeting of the Council. There are two or three matters in the Executive Committee that could be disposed of in five minutes. I therefore move that we take a recess subject to the call of the Chair.

Coun. Ballantyne's motion was declared lost.

Adjourned, on motion of Coun. HALE, at 6.25 p. m., to meet Friday, July 7, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Friday, July 7, 1911.

Meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President COLLINS in the chair. Absent—Coun. Attridge.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

RETIREMENT OF B. F. DROWN.

The following was received:

City of Boston,
Office of the Mayor, July 6, 1911.

To the City Council:

I transmit herewith a copy of an application signed by Benjamin F. Drown, a clerk in the Water Service of the Sewer and Water Division of the Department of Public Works, who is a veteran of the Civil War, to be retired under the provisions of chapter 113 of the Acts of 1911. His application has been approved in the regular form by the Commissioner of Public Works and by myself as Acting Mayor. In accordance with its terms I have drafted the accompanying order appropriating the amount for the payment of the pension and charging it to the Reserve Fund.

Respectfully,
WALTER L. COLLINS, Acting Mayor.

Ordered, That a sum sufficient to provide a pension under the authority of chapter 113 of the Acts of 1911 to Benjamin F. Drown, a clerk in the Water Service of the Sewer and Water Division of the Department of Public Works, dating from July 15, 1911, be and hereby is appropriated, and that said appropriation be charged to the Reserve Fund.

Referred to the Executive Committee.

RETIREMENT OF JAMES M. PAGE.

The following was received:

City of Boston,
Office of the Mayor, July 5, 1911.

To the City Council:

I transmit herewith a copy of an application signed by James M. Page, an inspector in the Water Service of the Sewer and Water Division of the Department of Public Works, who is a veteran of the Civil War, to be retired under the provisions of chapter 113 of the Acts of 1911. This application has been approved in the regular form by the Commissioner of Public Works and by his Honor Mayor Fitzgerald, and in accordance with its terms I have drafted the accompanying order appropriating the necessary amount for the payment of the pension and charging it to the Reserve Fund.

Respectfully,
WALTER L. COLLINS, Acting Mayor.

Ordered, That a sum sufficient to provide a pension under the authority of chapter 113 of the Acts of 1911 to James M. Page, an inspector in the Water Service of the Sewer and Water Division of the Department of Public Works, dating from July 1, 1911, be and hereby is appropriated, and that the said appropriation be charged to the Reserve Fund.

Referred to the Executive Committee.

SEA WALL, ETC., MYSTIC PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, July 6, 1911.

To the City Council:

The accompanying letter from the chairman of the Board of Park Commissioners sets forth the urgent need of raising the sea wall at Mystic Playground and constructing thereon a substantial iron picket fence, and records the fact, which various members of the City Council can confirm from their personal knowledge, that Mayor Fitzgerald verbally approved of an appropriation of two thousand dollars ($2,000) for this purpose. A more careful computation has raised the estimate to four thousand dollars ($4,000). As the situation is unquestionably dangerous to the children who use the playground, and the matter is therefore one that does not permit of delay, I beg to recommend the passage of the accompanying order, transferring the sum of four thousand dollars ($4,000) from the appropriation for Reserve Fund to an appropriation for Mystic Playground, Sea Wall and Fence.

Respectfully,
WALTER L. COLLINS, Acting Mayor.

City of Boston,
Board of Commissioners of the
Department of Parks,
June 28, 1911.

Hon. Walter L. Collins,
Acting Mayor of Boston:

Dear Sir,—I would call your attention to an important omission in the appropriations made on Monday by the City Council, that of $2,000 for the raising of the sea wall at Mystic Playground, on which, too, a substantial iron picket fence should be constructed. The situation is very dangerous to the many children who use the playground.

Our engineer estimated the raising of the wall at the above figure—$2,000—but I think that, including the fence, the cost will approximate $4,000, and would ask for that sum for the purpose set forth. Mayor Fitzgerald, while reading over the items in his office before the Finance Committee of the City Council, verbally approved of the appropriation of $2,000.

Yours respectfully,
ROBERT S. PEABODY, Chairman.

Ordered, That the City Auditor be and hereby is authorized to transfer the sum of four thousand dollars ($4,000) from the appropriation for Reserve Fund to an appropriation to be expended by the Board of Park Commissioners for Mystic Playground, Sea Wall and Fence.

Referred to the Executive Committee.

COURTHOUSE, ETC., EAST BOSTON.

The following was received:

City of Boston,
Office of the Mayor, July 5, 1911.

To the City Council:

Under date of June 16 his Honor Mayor Fitzgerald transmitted a communication from the Superintendent of Public Buildings calling attention to the need of sixty thousand dollars ($60,000) additional for the purchase of a site and the erection of a new building for courthouse and police station in East Boston, and recommended the passage of an order appropriating this sum. As bearing upon this subject I transmit herewith a communication from the secretary of the School Committee, notifying me that the School Committee is willing to surrender the old East Boston High Schoolhouse for this purpose on the payment of forty thousand dollars ($40,000) as soon as satisfactory accommodations have been provided for the pupils now housed in that building. If this offer is accepted the price of the site will be approximately forty thousand dollars ($40,000), and it will then be possible, from the estimates of the cost of the building, to determine with some degree of exactness the appropriation required.

Respectfully,
WALTER L. COLLINS, Acting Mayor.

Boston School Committee.
Secretary's Office, June 28, 1911.

Hon. Walter L. Collins,
Acting Mayor of Boston:

Dear Sir—I respectfully notify you of the passage of the following order at the meeting of the School Committee held on Monday, June 26, 1911:

Ordered, That his Honor the Mayor be informed that upon provision being made, satisfactory to this Board, for the housing of the school children who would otherwise be accommodated in the old East Boston High Schoolhouse, this Board is will-

ing to surrender said school estate on the payment of $40,000, but until other and satisfactory school accommodations shall be provided the surrender of said school estate cannot be entertained.

Very truly yours,
THORNTON D. APOLLONIO, Secretary.

Referred to the Committee on Finance.

COST OF EAST BOSTON COURTHOUSE.

The following was received:

City of Boston,
Office of the Mayor, July 7, 1911.

To the City Council:

Supplementing my earlier communication transmitting a statement of the price at which the School Committee would surrender the site of the old East Boston High School to the Public Buildings Department for the new courthouse and police station, I transmit herewith a letter from the Superintendent of Public Buildings giving an estimate of the cost of the building exclusive of the site. It would appear from these data that the total cost of the improvement will be about one hundred and sixty-five thousand dollars ($165,000) if the high school site is taken.

Respectfully,
WALTER L. COLLINS, Acting Mayor.

City of Boston,
Public Buildings Department,
July 7, 1911.

Hon. Walter L. Collins,
Acting Mayor of Boston:

Dear Sir,—For your information I wish to advise you that I estimate the cost of the new building in East Boston which is to be used as a courthouse and police station will be about $125,000, exclusive of the cost of the site for the said building.

An appropriation of $105,000 was made in 1909 for this purpose, and on the 16th of June I sent a communication to his Honor Mayor Fitzgerald stating that at least an additional appropriation of $60,000 would be required.

I inclose herewith a copy of the above mentioned communication.

Yours respectfully,
M. J. FISH,
Superintendent of Public Buildings.

Referred to the Committee on Finance.

COLLECTION OF GARBAGE, NORTH END.

The following was received:

City of Boston,
Office of the Mayor, July 7, 1911.

To the City Council:

In reply to an order of the City Council, passed at its meeting June 26, "that his Honor the Mayor be requested to furnish a report from the Sanitary Department as to whether the law is being enforced in the North End of the city in regard to the collection of garbage," I beg to transmit a letter from the Commissioner of Public Works, forwarding a report from the chief clerk of his department.

Respectfully,
WALTER L. COLLINS, Acting Mayor.

City of Boston,
Public Works Department,
City Hall, July 7, 1911.

Hon. Walter L. Collins,
Acting Mayor of Boston:

Dear Sir,—*Re* inclosed request of the City Council, kindly note inclosed report of the chief clerk of this department relative to the collection of garbage at the North End.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

City of Boston,
Public Works Department,
City Hall, July 6, 1911.

Mr. Louis K. Rourke,
Commissioner of Public Works:

Dear Sir,— I return herewith order of the City Council requesting report as to whether the law is being enforced in the North End of the city in regard to the collection of garbage, and submit the following:

The ordinances of the city provide that the Department of Public Works "shall remove from yards and areas, when so placed as to be easily removed, all ashes accumulated from the burning of materials for heating habitations, cooking and other domestic purposes, house dirt, house offal and all noxious and refuse substances."

The ordinances do not provide the manner nor the time in which the refuse substances shall be removed. It would seem, and, as a matter of fact, it is, entirely a question to be determined by the Commissioner of Public Works.

If the barrels are placed out by the owners collections are made in some streets twice a week and in certain other streets three times a week. When the barrels have to be taken out by the department force, collections are made once a week.

Collections are made three times a week (Monday, Wednesday and Friday) from the following streets:

North, from Richmond to Commercial; North square, Moon, Sun Court, Garden Court; Prince, from Hanover to North square; Hanover, from Prince to the ferry; Fleet; Lewis, from North to Moon; Clark, Harris, Hanover avenue, Neary court, Murray alley, Salutation, Battery, and Commercial, from North to Hanover.

Collections are made twice a week in the section bounded by Commercial, from Hanover to Washington Street North; Washington Street North, from Commercial to Cross; Cross, from Washington Street North to Hanover, and all streets running north from Hanover street between Cross and Commercial.

Respectfully,
B. C. KELLEY, Chief Clerk.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees names, viz.:

Claims.

Giuseppe Scali, for compensation for damages at 128 Salem street by a defective sewer.

Dr. H. J. Baker, for compensation for damages caused by spraying by Public Grounds Department at 471 Columbia road.

Mrs. Sarah Hart, for compensation for damages to property by the breaking of sewer in Cedar street, Roxbury.

Mary Lee Ware, for compensation for damage to drain at 43-45 West street.

Catherine Ryan, for compensation for damage to property, 1284 Dorchester avenue, by stoppage of sewer.

Executive.

Reports on petitions for licenses to sell, rent or lease firearms at various places, viz.:

J. B. Hunter & Co., 60 Summer street, Ward 6.
Giovanni Mongardi, 16 North square, Ward 6.
Pearlstein & Fredberg, 86-88 Merrimac street, Ward 8.
Pearlstein & Shear, 52 Shawmut avenue, Ward 7.
Charles Cohen, 51 Endicott street, Ward 6.
Benovitz & Sheinkopf, 150 Merrimac street, Ward 8.
Simon Miller, 60 Howard street, Ward 6.
Levine Brothers, 35 Beach street, Ward 7.
Back Bay Loan Company, 373 Columbus avenue, Ward 10.
Placid Amaru, 5 Prince street, Ward 6.

MINORS' LICENSES.

President COLLINS submitted reports on petitions of nine newsboys, one bootblack and three venders for minors' licenses—recommending that licenses be granted.

Reports accepted; licenses granted on the usual conditions.

MILITIA ENROLLMENTS.

A communication was received by the City Clerk from the Board of Assessors certifying, under section 8 of chapter 604 of the Acts of 1908, that the number of persons in the City of Boston liable to enrollments in the militia is 116,718.

Placed on file.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted by the Secretary of the Commonwealth were received.
Placed on file.

ALTERATION OF LOCATION.

A copy of order of the Street Commissioners was received granting permission to the West End Street Railway Company for alteration of location on Haverhill street, 352d location.
Placed on file.

NOTICE OF HEARING.

Notice was received from the Board of Railroad Commissioners of hearing on July 6 on petition of West End Street Railway Company for approval of 352d location.
Placed on file.

NOTICES FROM RAILROAD COMMISSIONERS.

Notice of the approval of the Railroad Commissioners of the purchase of the Old Colony Street Railway Company by the Boston & Northern Street Railway Company.
Notice was received of approval of Railroad Commissioners of temporary changes at Dover Strect Station of Boston Elevated Railway Company.
Notice was received from Railroad Commissioners of approval of proposed changes at Dover Street Station by Boston Elevated Railway Company.
Placed on file.

STORAGE OF EXPLOSIVES, ETC.

Notice was received from the hereinafter named parties that the following named buildings were used by them for keeping of oils, etc., and of intention to continue such use for the ensuing ycar, viz.:
J. W. Cosden & Co., 246 Massachusetts avenue, Ward 10.
Kirkwood Brothers, 23 Elm street, Ward 6.
Boston Consolidated Gas Company, Cambridge street and Charles river.
The same company, Hilton street, Ward 17; the same company, Commercial Point, Ward 24; the same company, 144 Keyes street, Ward 23; the same company, 34 Freeport street, Ward 20; the same company, Calf Pasture, Ward 20.
Placed on file.

INVESTIGATION OF FIREWORKS DISPLAY.

A communication was received from Augustus Seaver, editor of the "Wage Earner," asking that an investigation be made concerning the "so-called fireworks exhibition given on the night of July 4 upon the Charles river, supposedly by the direction and because of appropriations made by the City of Boston," and offering to appear before the City Council or any committee thereof.
Referred to the Executive Committee.

CONFIRMATION OF APPOINTMENT.

President COLLINS called up unfinished business No. 1, viz.:
1. Action on appointment submitted by the Mayor, June 26, of Charles B. McMackin to be a Weigher of Coal for the term ending April 30, 1912.
The question came on confirmation. Committee —Coun. McDonald and Curley. Whole number of ballots cast 7, yeas 7, and the appointment was confirmed.

SEWERAGE WORKS, CHARLES RIVER BASIN.

President COLLINS called up unfinished business No. 2, viz.:
2. Ordered, That the sum of three hundred ninety-five thousand dollars ($395,000) be appropriated for the construction of sewerage works within the watershed of Charles River Basin, being a portion of the amount required by chapter 485 of the Acts of 1907, and that the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds of the City of Boston to said amount for said purpose.
On June 16 the foregoing order was read once and passed, yeas 7, nays 0.
The order was given its final reading and passed, yeas 8, nays 0.

FINANCE.

Coun. KENNY, for the Committee on Finance, submitted the following:
(1) Report on message of Mayor and order (referred June 13) for loan of $400,000 for construction of sewerage works within the watershed of the Charles River Basin—that the order ought not to pass.
Report accepted; said order rejected.
(2) Report on message of Mayor and communications (referred June 26) relative to improvements necessary at ferry landings—recommending reference to the Executive Committee.
Report accepted: said reference ordered.
(3) Report on message of Mayor and communications (referred June 26) relative to repairs needed at House of Correction—recommending reference to Executive Committee.
Report accepted; said reference ordered.

ORDINANCES.

Coun. McDONALD, for the committee on Ordinances, submitted the following:
(1) Report on message of Mayor and ordinance (referred May 31) concerning street parades—recommending the passage of an ordinance in the following new draft:

City of Boston.
In the Year Nineteen Hundred and Eleven.
An Ordinance.

Be it ordained by the City Council of Boston, as follows:
Chapter 6 of the Ordinances of the year 1910 is hereby amended as follows:
By adding in the third line of section one, after the words "five hundred persons," the words "or more than two bands of music."
And by striking out section two and substituting in place thereof the following: "No streets except those named in the foregoing section shall be used for the purposes prescribed in the foregoing section, between 10 a. m. and 5 p. m., in that portion of the city proper lying east of Massachusetts avenue and Southampton street, on days other than Sundays or holidays, except by vote of two-thirds of the members of the City Council."
Report accepted; ordinance passed.
(2) Report on message of Mayor and ordinance (referred June 26) consolidating the Bath, Music and Public Grounds Departments and establishing a Park and Recreation Department—that the ordinance ought not to pass, without prejudice.
Report accepted; ordinance rejected.
(3) Report on report of the Committee on Ordinances (referred February 13) and draft of ordinance relating to shade trees (Document 138, 1910) —that the ordinance ought to pass as contained in Document 138, 1910.
Report accepted; ordinance passed.
(4) Report on the message of the Mayor, communications from the Corporation Counsel and the Police Commissioner and proposed ordinance (referred February 13) relative to children on streets—recommending that the City Clerk communicate with the Corporation Counsel and the Police Commissioner relative to the enforcement of the proposed ordinance, and if in their opinion it cannot be enforced, the reason or reasons therefor.
Accepted.

PAYMENT FOR LOSS OF FOWLS.

Coun. BUCKLEY, for the Committee on Claims, submitted a report on the petition of Ellen McMahon (referred June 26) to be paid for loss of fowls killed by dogs—recommending the passage of the following:
Ordered, That there be allowed and paid to Ellen McMahon the sum of four dollars and twenty-five cents in compensation for the loss of fowls killed by dogs May 14, 1911, said sum to be paid from the income from dog licenses.
Report accepted; order passed.

FEES FOR PERMITS, ETC.

Coun. KENNY offered the following:

City of Boston.

In the Year Nineteen Hundred and Eleven.

An Ordinance providing for the determination of fees or charges for coal holes, vaults, bay windows and marquises.

Be it ordained by the City Council of Boston, as follows:

Section 1. Permits or licenses for the storage of gasolene or oil, or other inflammable substances or explosive compounds, are to be issued upon the terms and conditions provided for by chapter five hundred and two of the acts of nineteen hundred and eight.

Sect. 2. A fee or charge of not less than ten dollars nor more than five hundred dollars shall be determined by the Board of Street Commissioners for each license or permit issued for the construction or use of a bay window over the public ways. A bay window within the meaning of this ordinance shall mean a structure not more than one story in height.

Sect. 3. A fee or charge of not less than ten dollars nor more than five hundred dollars shall be determined by the Board of Street Commissioners for each license or permit issued for the construction or use of a marquise over the public ways.

Sect. 4. A fee or charge shall be determined by the Board of Street Commissioners for each license or permit issued for the construction or use of a vault in or under the public ways in accordance with the following provisions:

For a vault to be used in connection with a coal hole for the reception or storage of fuel not less than two dollars nor more than one hundred dollars.

For a vault with a bulkhead opening to be used for the reception, storage or delivery of goods, wares and merchandise not less than ten dollars nor more than five hundred dollars.

For a vault to be used as an extension of the basement of a building for business purposes not less than twenty-five dollars nor more than five thousand dollars.

Sect. 5. A fee or charge of not less than two dollars nor more than fifty dollars shall be paid for each license or permit issued by the Board of Street Commissioners for the construction or use of a coal hole with chute attached and connecting with the basement of a building in and under the public ways, said coal holes to be used only for the reception of fuel.

Sect. 6. Fees or charges determined or fixed as aforesaid shall be payable on the issuance of the license or permit.

Coun. KENNY—I would like to say in connection with that order that I offer it in accordance with my expressed intention at last meeting.

Referred to the Committee on Ordinances.

BATHING AT ROXBURY RESERVOIR.

Coun. SMITH offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to submit to the Council at his earliest convenience an estimate of the cost of transforming the reservoir at Parker Hill, Roxbury, into a suitable bathing place, with necessary shelters, etc.

Passed.

ADDITION TO L STREET BATH.

Coun. CURLEY offered an order—That the Bath Trustees be requested, through his Honor the Mayor, to submit to the City Council at their carliest convenience an estimate of the cost of an additional strip of beach at L street, 500 feet in length and of suitable depth, with cost of suitable shelters on same, bathing trunks on proposed addition to be let for one cent per pair.

Coun. CURLEY—I would say that this order was suggested by a number of the patrons at L Street Bath who contend that certain individuals rather monopolize the privilege there and that the present charge for trunks there is so excessive as to make it burdensome and expensive to persons who can ill afford it. It was felt that if an additional strip of 500 feet were provided with a nominal charge sufficient to cover the wear and tear on trunks and laundry, a charge of 1 cent per pair, that it would be possible to accommodate all at L street in such a manner as to benefit every one who patronized that particular place.

(The order was read again for the benefit of Coun. Kenny.)

Coun. KENNY—I have no objections to that order passing on the information we have, but don't want to have it understood that in the present form I should want to vote for that.

Coun. CURLEY—I don't feel that it is necessary to say anything. I feel that if Coun. Kenny had listened when the order was read originally he would have discovered that it simply asks the Bath Commissioners as to the advisability of extending the bath. It does not involve any expenditure or any action on the part of the Board other than submitting for the consideration of the Bath Trustees the matter of whether it is essential.

Coun. KENNY—I have no objection to the order, as I have already stated. I am quite in favor of enlarging facilities there if required. The feature that I didn't quite understand was the matter about the 1 cent for trunks. I should want to think that over.

President COLLINS—The question comes on passing the order.

The order was passed.

REMOVAL OF TREES.

Coun. CURLEY offered an order—That the Park Commissioners be requested to remove two trees situated on park land near estates No. 87, 89 Callender street, Dorchester.

Passed.

BATHING AT CARSON BEACH.

Coun. CURLEY offered an order—That the Bath Trustees be requested, through his Honor the Mayor, to cause Carson Beach to be kept open for the convenience of the public until ten o'clock p. m., on such nights as the tide will serve for bathing purposes.

Passed.

PLANTING OF SHADE TREES.

Coun. CURLEY offered an order—That the Committee on Ordinances be requested to draft an amendment to the ordinances providing that when a pole is removed from any public street 50 feet wide or over, outside the business district, that a shade tree be planted in said location by the Superintendent of Public Grounds.

Passed.

SIDEWALK, BUSHNELL STREET.

President COLLINS presented a petition signed by Charles W. Beal *et al.*, residents of Bushnell street, asking that sidewalks be laid on said street.

In connection with the above petition the President offered an order—That the Commissioner of Public Works make a sidewalk along the westerly side of Bushnell street, between number 11 and Radford lane, Ward 24, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width and to be built of artificial stone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

HEARING ORDER RESCINDED.

Coun. McDONALD offered an order—That the order passed on June 26 authorizing the Committee on Ordinances to "give a public hearing on July 11, on the extension of building limits," etc., be and the same is hereby rescinded.

Passed.

BAND CONCERTS, MOODY'S CORNER.

Coun. McDONALD offered an order—That the Music Trustees be requested, through his Honor the Mayor, to give one or more band concerts during the present summer at Moody's Corner, Dorchester.

Passed.

VACATION FOR SPANISH WAR VETERANS.

Coun. McDONALD offered an order—That the officer or hoard in charge of any department he hereby authorized to grant a vacation, without loss of pay, to all employees of the city in said department who are veterans of the Spanish War, such vacation to be co-extensive with the annual encampment of 1911 of the Spanish War Veterans.

Passed.

HOSPITAL AMBULANCE, EAST BOSTON.

Coun. McDONALD offered an order—That the City Hospital Trustees be requested to inform the City Council, at as early a date as possihle, why the East Boston Relief Station is not equipped with an amhulance, and if the trustees did not agree some time ago to provide an automohile ambulance for said hospital.

Passed.

PAYMENTS TO BAR ASSOCIATION.

Coun. KENNY moved that No. 3 he taken from the tahle, viz.:

3. Preamhles concluding with the following:

Ordered, That a committee he appointed, with full power to summons and hring hefore it the County Treasurer and City Auditor, clerks of courts, judges, officers, attorneys and agents of the Bar Association of the City of Boston, and all persons connected with, referred to and concerned in the matters of each and every item in each and every claim and bill on file in the City Auditor's office which has been paid to the Bar Association of the City of Boston, its attorneys and agents since the year 1885 to the present time; and all court records, documents, writings, vouchers, and also all records of the Bar Association of the City of Boston, to ascertain how much of all the moneys so paid on the ahove hills have been unlawfully obtained and received by the Bar Association of the City of Boston, its attorneys or agents; and if any is found to have heen unlawfully obtained, or ill-gotten, then that the Law Department he instructed to institute legal process for the recovery of the same, and that the matter be further referred to the proper departments of justice for fit action.

Indefinitely postponed, on motion of Coun. KENNY.

USE OF SCHOOL BUILDINGS.

Coun. KENNY moved that No. 4 be taken from the tahle, viz.:

4. Report of Executive Committee, ought not to pass, on order to transfer $13,000 from the Reserve Fund to an appropriation for Extended Use of School Buildings, to he expended by the Superintendent of Puhlic Buildings.

President COLLINS—The question comes on accepting the report.

Coun. HALE—I move reconsideration of the vote just passed. I shall have to plead guilty to having been asleep, as to the consequence of this.

President COLLINS—The question comes on accepting the committee's report—ought not to pass—on No. 4 on the calendar.

Coun. SMITH—Mr. President, it seems to me that if we pass this order exactly as stated here it will prejudice the cause unnecessarily. I would like to amend hy inserting the words "without prejudice," hecause it seems to me this is a very worthy ohject, and while the Corporation Counsel has advised us that in its present form it is impossihle to pass it, nevertheless it seems to me we ought not to prejudice what I think we all agree is a good cause hy the mere form of the order.

Coun. HALE—I agree fully with what Coun. Smith says, and for that reason I got up hefore. I think, however, that the best way to deal with it would he to continue to leave it on the tahle until we have a chance to consider the matter next fall. Mr. Monroe of the 1915 movement called me up this morning and asked me to use my efforts to get it laid on the tahle so that they would have time to draw an order that would he legal. I think that even if we report it hack without prejudice it will hurt the cause, and I would like to go a step further than Coun. Smith, and move as a substitute motion that it be left on the table.

President COLLINS—The question comes on Coun. Hale's motion that it lay on the table.

The Chair heing in doubt as to the result of the vote called for a rising vote, whereupon it appeared that five voted in the affirmative and two in the negative, and the motion prevailed.

NEW BUILDINGS, ETC., CITY HOSPITAL.

Coun. CURLEY offered an order—That the sum of $297,800 be appropriated, to be expended hy the Trustees of the City Hospital for new huildings, changes and additions at the South Department, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

Coun. CURLEY—With relation to this particular order I feel that for the henefit of the Board the various communications that have heen received either hy the Mayor or by any committee of the City Council should hecome public property. There is a communication here dated Boston, Decemher 2, 1910, addressed to Hon. John F. Fitzgerald, Mayor of the City of Boston, as follows:

"Dear Sir,—At a meeting of the Board of Trustees to-day the matter of an appropriation for the construction of buildings on the ground lately purchased from the Robert Treat Paine estate was considered.

"The constant increase in the population of the City of Boston necessarily increases the numher of infectious diseases. During the past three years the city has suffered so much from these vexatious diseases that the South Department has heen overcrowded for a portion of each year. Its normal capacity is 250 patients, hut the stress has been so great that at times this number has heen increased to 400 to the detriment of the welfare of the patients. In addition to this the city has been obliged to board out a great many patients at the Haines Hospital and other institutions during the time mentioned, which is not only dctrimental to the puhlic health but adds materially to the expense of caring for the patients over the cost to the hospital management within its sphere."

Coun. KENNY—Mr. Chairman——

President COLLINS—For what purpose do you rise?

Coun. KENNY—I would like to ask the member a question.

President COLLINS—Will the gentleman yield?

Coun. CURLEY—No, Mr. Chairman.

Coun. CURLEY resumed the reading, as follows:

"It is therefóre of the utmost importance that adequate provision should he made for the treatment of this class of diseases, and to properly take care of all applicants ill with diphtheria, scarlet fever and measles.

"It is a source of satisfaction to the trustees that Boston was the first city to estahlish a separate hospital for infectious diseases. Your Honor may possihly rememher that ahout three years ago, during your former administration, an appeal was made to you for a measles pavilion. You generously and with a full appreciation of the importance of this ward recommended the necessary sum for its erection. This measles pavilion has accomplished a great deal of good and has filled a long-felt want, for until its erection there was no place to send a patient ill with measles."

Coun. KENNY—Mr. Chairman, I rise to a point of order. My point of order is that the records which the member is reading now have already appeared in the minutes of our meetings; they are a matter of puhlic record, and he is merely inflating the records at the expense of the city by reading them here this afternoon.

President COLLINS—The Chair would like to ask the councilor who is reading whether or not he is reading an exact copy of that which has been before the Council for some time past.

Coun. CURLEY—I would say that I presume it is an exact copy and I am acting within my rights in reading it.

President COLLINS—The Chair rules that the gentleman is within his rights in reading it on a question of reconsideration of reference. I understand the gentleman is reading it with regard to the question whether the reconsideration should prevail. The Chair rules the point of order is not well taken.

Coun. CURLEY—I would say that after I have completed it and after debate has suhsided it is then my purpose to move reconsideration, which

is the only course I can pursue under the rules of the City Council, which provide that any order introduced shall he referred to a committee. I feel I am acting perfectly within my rights in continuing.

President COLLINS—The Chair will rule, unless the gentleman makes a motion, that the gentleman is not properly on the floor. The Chair will entertain a motion to reconsider the reference. Until that motion is made the Chair will have to rule the gentleman out of order.

Coun. CURLEY—Do I understand that where a matter is referred by the Chair that no debate is in order?

President COLLINS—Unless on motion to reconsider a reference.

Coun. CURLEY—Then I move reconsideration of the reference to the Committee on Finance.

President COLLINS—The question comes on Coun. Curley's motion.

Coun. CURLEY—Of course, I don't desire to take up too much of the time of the Board, hut I shall hegin this communication over again and begin at the beginning.

After re-reading the portion of the communication dated December 2, 1910, previously read, Coun. CURLEY continued the reading, as follows:

"The trustees feel, therefore, that your Honor as well as the honorahle City Council will recognize the importance of enlarging the accommodations at the South Department at the earliest possihle moment. After carefully considering the matter and going over several plans that have heen suhmitted for their inspection, the trustees most respectfully ask your Honor to recommend a loan appropriation of $297,800 for new buildings, changes and additions at the South Department, approximated as follows:

Changes in east pavilion	$6,000 00
Changes in west pavilion	6,000 00
Additional story to laundry huilding	14,800 00
New six-story ward building	196,000 00
Alterations to Paine huildings	33,000 00
Connecting corridors and pipes and tunnels	20,000 00
Yard wall	8,000 00
Contingent and administrative expenses	14,000 00
	$297,800 00

"The trustees, fully appreciating your Honor's great interest in the hospital and your co-operation for the welfare and alleviation of the sick, and especially for those unfortunately stricken with contagion, ask you kindly to recommend to the honorahle Council the appropriation of the abovementioned sum.

"I have the honor to remain, on behalf of the trustees,

Respectfully yours,
A. Shuman,
President Board of Trustees."

And the date of the receipt of that communication hy the City Council does not appear upon the communication. However, it was the property of the Mayor on December 2, 1910. The first communication recorded here is under date of June 9, 1911, addressed at the City Hospital to Hon. John F. Fitzgerald, Mayor of the City of Boston, and the City Council.

"Gentlemen,—On December 2, 1910, I addressed a communication to your Honor (of which the inclosed is a copy) setting forth the increasing need of greater accommodations for the South Department, and asking for an appropriation of $297,800 for new buildings, changes and additions, as itemized therein, to which I again respectfully refer. Since that time the demand for accommodations for the care of patients ill with infectious diseases has been constantly increasing, and we have reached a point where this department is practically filled to its utmost capacity, and further accommodations are immediately needed.

"If we compare foreign cities with Boston, we shall find that in London, in Glasgow and in continental cities there are accommodations for patients ill with infectious diseases, giving each patient 1,500 cubic feet of air space for nine out of every 10,000 of the population. In Boston there are accommodations for only three out of every 10,000 of the population. The importance of this air space cannot be overestimated. The numher of cases of cross infection is very much increased when a hospital is crowded. Aside from that, patients with limited space do not do as well as where they have an ahundant supply of air space. Additional accommodations are therefore greatly needed for the care of scarlet fever patients.

"Anyone familiar with the history of infectious diseases in Boston for the past fifteen years must be convinced of the wonderful amount of good accomplished by the South Department during that time. For example, the death rate at the Boston City Hospital previous to the days of antitoxin for cases of laryngeal diphtheria was about 85 per cent.

"In all cases of diphtheria the percentage of mortality from 1895 to 1909 has been 10.70, as compared with 43.20 before the opening of the South Department. In 1894 eighteen people out of every 10,000 in Boston died from diphtheria; in 1910, two and a fraction."

Now, Mr. Chairman, on that particular point I desire to lay stress. If it is possihle to reduce the number of deaths, as has been pointed out here, from eighteen, in 1894, to two and a fraction, then I feel that this is a matter that will not permit of delay; I feel it is a loan that should he acted on speedily by the City Council; I feel it is a loan of far greater importance than the loan recently authorized by an almost unanimous vote of this body, in favor of a three hundred thousand dollar purchase for lighting devices for the lamps of the city. I feel that was something that could very well have waited since it is in an experimental stage. This is not in an experimental stage; the city has spent a considerahle sum of money for the purchase of a site for these new hospital buildings; it is something that is necessary, something that is beneficial to the entire city and all the people of the city; and in addition to that it represents a considerahle loss to the city, the present system of treating the infectious cases. They are sent to the Haines Hospital, to the hospital at Brighton, maintained by the Homœopathic Society, to the hospital at Brookline,—and treatment there in those private hospitals represents a weekly cost of ahout eleven dollars, whereas it is possihle to treat them with equal success at the City Hospital at an average of six and one-half or seven dollars.

"It is well to hear in mind that the average ratio of mortality per 10,000 of the population in Boston from scarlet fever previous to the opening of the South Department was 2.87. The average ratio of mortality from 1895 to 1909, inclusive, was 1.61, a diminution of nearly one-half."

Now, then, if the City Hospital Trustees, who have accomplished such splendid results in the matter of the treatment of infectious diseases, have found it possihle with the small equipment they have there and their limited accommodations to reduce the mortality nearly 50 per cent in the treatment of infectious diseases, and it is their recommendation that we provide funds sufficient to permit of the erection of additional huildings, then I don't feel it is a matter that will permit of delay, and it is a matter that should be acted on immediately.

"If every patient who applied for treatment could have been promptly taken into the hospital, the ratio of mortality and ratio of morbidity would have heen very much reduced."

Mr. Chairman, that speaks volumes for this particular loan. I have some children myself and any member of this Council who has children will recognize the necessity for increased accommodations at those hospitals for children who may he afflicted with infectious diseases. It is a crying need, Mr. Chairman. Take a child that to-day becomes infected in his own home. He is put in an ambulance and carted over the road to a private hospital in Brookline. The lowest possible time within which he can receive treatment at that hospital from the North End or the West End, or even from the Roxhury section of the city, is ahout one hour to one hour and a half,—and in that case in nine cases out of ten it is a reasonahlc presumption that he will succumh to the disease, whereas if the accommodations are provided at the City Hospital it is possible to provide treatment in one third of the time, and in perhaps nine cases out of ten save the lives of the people so affected.

"In the new building at the South Department it is intended to have a roof garden, in order that the children may have the benefit of open-air treatment. It is also intended to have open-air wards in the buildings already erected, which is covered by the items referring to changes in the east and west pavilions."

Now, then, Mr. Chairman, just one word with relation to that roof garden. Any person who has an opportunity on a Sunday morning or holiday

to pass by the South Department, and will take time to walk around the South Department buildings on Harrison avenue, Albany street, Massachusetts avenue or Northampton street, will come away with a very depressed feeling. The streets are filled with men and women, little girls and boys, looking eagerly towards the windows of the infectious wards of the South Department, looking eagerly for an opportunity to get a wave of the hand from a little son, or daughter, or brother, or sister, who is inside that building. I think it is one of the most pathetic sights to be witnessed in Boston at any time of the year. If that roof garden could be provided where the children who are convalescing could have an opportunity to breathe God's sunshine and air, and to wave the glad hand of welcome to a mother, father, sister or brother, on the streets, it would be worth more than the entire amount that we pay for the erection of these buildings. Every person with a spark of human feeling in him realizes how great the sorrow of a mother must be whose child is committed to one of those buildings where the mortality is extremely great, the desire of the mother to see that child, to wave a fond and feeling hand to the child, and to watch for a return from the child,—and the impossibility of gratifying that desire under present conditions. Now, then, Mr. Chairman,——

"The accommodations for laundry work at the South Department must be increased, and therefore an additional story must be added to the laundry building as the laundry, being of an infectious nature, must be done on the premises.

"The alterations to the Paine buildings, the connecting corridors, pipes and tunnels and the yard wall are all items that become necessary with the additional buildings and enlargements."

Now with relation to the Paine buildings, it is proposed that the Paine buildings be used as they are. Instead of destroying those buildings and tearing them down it is proposed to connect those buildings and use them as quarters for the nurses who may treat patients confined in the infectious department.

"A second and very important reason why additional buildings should be erected is the fact that the accommodations for nurses are inadequate. It is also important that there should be separate dining rooms for nurses who have the care of the different infectious diseases."

Now in this connection I want to say that during my short stay in the hospital, of six or eight or eleven weeks,— I don't remember exactly the time,—there was no time during that period that there were less than three nurses who were under treatment and no time that there were less than six orderlies under treatment for each week for infectious diseases or for poisoning of one kind or another, from tha handling of bandages or the treatment and care of patients. It is unfair to permit nurses who are treating adult patients at the City Hospital who are afflicted with pneumonia or broken limbs or anything of that kind, to come in contact with nurses who are treating children afflicted with infectious diseases. It is impossible under those conditions to prevent contagion. The only way contagion can be prevented is by segregation of those nurses.

"In foreign hospitals and in the new hospital just erected in Philadelphia these provisions have been made."

Mr. Chairman, the chief pride of the City of Boston is in her hospital institutions, and there is no reason why we should be behind a city that is considered the slowest city in the world, with perhaps the exception of Chelsea,—the city of Philadelphia. And we find that Philadelphia is ahead of Boston in this particular.

"The treatment of infectious diseases is not a charity, in the common acceptance of the word, but it is an element of public safety, and it is as much demanded by the public as a fire department or a police department."

Now, then, Mr. Chairman, if a recommendation came in from the Police Commissioner for an additional appropriation of $250,000 for the appointment of additional police officers, because of riots and insurrections, we would not hesitate one minute about appropriating and recommending that money; when the Fire Department asks for a loan for some particular purpose there is always a majority of the Council prepared to vote for it. And surely the protection of the health of the people who are well is just as necessary, and the preservation of the health of the persons who care for persons inflicted with infectious diseases.

"It is a disgrace to any municipality to have an epidemic of an infectious disease."

Yet we had an epidemic last year, Mr. Chairman, an epidemic of such size that it was an impossibility to accommodate half of the patients at the City Hospital. The Homœopathic Hospital at Brighton was filled, a private hospital at Brookline was filled, and little children with diphtheria and scarlet fever were sent to the old smallpox hospital on Southampton street for treatment because of lack of accommodations at the South Department. And the members of the committee say we should consider and not act hastily.

"Boston should be able to control any epidemic of the three principal infectious diseases—namely, diphtheria, scarlet fever and measles.

"Within the past two or three years the City of Boston has paid to other hospitals for the treatment of patients ill with infectious diseases about $33,000."

Thirty-three thousand dollars, Mr. Chairman, would represent somewhere in the neighborhood of the interest on $832,000. Now, Mr. Chairman, the total amount asked by the City Hospital is only $297,000, and if we could save half or a quarter of that $33,000 it would be a sum sufficient to pay the bonds of $297,000.

"The average price of board at these hospitals is about $10 a week, whereas at the South Department the past year, deducting money received from paying patients and from cities and towns, it has been $3.94."

Now, then, Mr. Chairman, if we can reduce more than half in addition to protecting the health of those who are well and protecting and preserving the health of the nurses who care for these children, and if we can then treat patients at less than half what it costs in private hospitals, at a little more than a third of what it costs in private hospitals, I don't feel there is any occasion that will warrant any member of this Council voting against immediate action on this loan.

"In conclusion, the trustees, realizing the great responsibilities that rest upon them and upon the city government, most earnestly call the attention of your Honor and the honorable City Council to the crying need of these new buildings, and urgently request the earliest consideration of this loan appropriation.

"I have the honor to remain, on behalf of the trustees,

Very respectfully yours,
A. SHUMAN,
President Board of Trustees."

Now, Mr. Chairman, accompanying this is another communication dated June 12, 1911, addressed to the City Council.

"In forwarding the accompanying communication from the president of the Board of Hospital Trustees, setting forth the urgent need of greater accommodations for the South Department, and asking for an appropriation of two hundred ninety-seven thousand eight hundred dollars ($297,800), I can add little to what was said in my letter of February 17, 1911. The purchase of the Paine property logically involves the erection of additional buildings upon it, and the plan outlined in the letter of the president of the Hospital Trustees is probably as satisfactory as any that could be made. I invite your earnest attention to this subject and believe that the question is one of the most important that are now before your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor."

Mr. Chairman, I haven't any desire to be unfair with the members of the Board or any desire to take up the time of the Board unnecessarily. I feel that the argument that is contained in that document is sufficient to warrant action by this Board. The City Hospital Trustees are made up of the most reputable citizens in this community—Mr. A. Shuman and the men associated with him—Mr. Conrad J. Rueter, Dr. Keany, or the new members of the Board, Mr. Shillaber, the treasurer of the North End Savings Bank, or Mr. Manning, all reputable men of excellent standing in this community who serve on that Board, who give up their entire time without pay, who endeavor to administer that institution in such a manner as will reflect credit on their administration and be beneficial to the city. This is their recommendation. There is no pecuniary benefit that will result to them in the event of the adoption of their recommendation, and there is no injury that will result to them in the event of its rejection by the City Council. But, Mr. Chairman, there is a direct injury that will result to the community in

the event of the rejection or in the event of the failure of the Board to take immediate action. We have money that is available; we are not in a bankrupt position. We pride ourselves on our city institutions and more particularly upon our hospital department than any other, with the possible exception of our schools and our park system. Now, then, Mr. Chairman, if that is the situation and if the facts contained in that communication are as they are presented by the trustees, then I can conceive of no reason that will justify delay upon this particular proposition. If there is a good reason, Mr. Chairman, I am agreeable to delay. But as one who has been in the institution, who has had an opportunity to witness the giving up by the trustees of their valuable time on Sundays and holidays to visiting of that institution—not by one of the trustees, but by every member of the Board of Trustees, I say that there is no reason why we should refrain from what I consider our duty on this proposition in voting this loan. And I sincerely trust, Mr. Chairman, that reconsideration will prevail. It was not my intention to press this matter this afternoon. I simply desired in the session of the Finance Committee that the matter should be considered, and that we should arrive at some definite decision as to when action should be taken. I believe the excuse is that the land is not available. The land is available. It has been purchased; the money has been paid for it. It is ready to put the buildings on at the present time; and any person who will give up the time to visit the City Hospital, or who has visited it during the past five days, will find that there is not accommodation for more than perhaps nine-tenths of the people who seek treatment at the City Hospital. And the City Hospital is an institution where no person should be turned away; we should have sufficient accommodation to provide for every person who is in need of treatment, and we should not be compelled, Mr. Chairman, to send children afflicted with measles, with scarlet fever, or with diphtheria, for treatment to a hospital that is intended for the treatment of smallpox only. Why, Mr. Chairman, is it possible by any stretch of the imagination for any man to picture to himself the anguish and the agony of a mother whose child has a case of measles or of diphtheria or of scarlet fever, and who sees that child sent to a smallpox hospital for treatment, subjected to the dangerous contagion of smallpox, while being treated for the less dangerous disease of scarlet fever or measles or diphtheria? Mr. Chairman, I sincerely trust that reconsideration will prevail—that we will by our action here this afternoon show that we have confidence in the City Hospital Trustees, and that we respect the needs of the city, that we have a high regard for this institution which, in my opinion, is the best of its kind in the entire United States, if not in the entire world.

Coun. HALE—Mr. President, I have been very much impressed by the reading of these letters. I am free to confess that I never read them before. I suppose it was negligence on my part not to have read them, but I had no idea that the need for this was so immediate. I shall not vote in favor of the loan to-day because this is the first time, as I say, that I have considered the matter, but I do want to make sure by some provision that possibly you, Mr. President, can suggest, that the matter is given immediate consideration by the Council. I know for one I could not go away for the summer with an easy conscience unless we had considered this matter and taken some action—either that it was not necessary or that Mr. Shuman was right and it was necessary. And I would like to ask you, Mr. President, if you can suggest some amendment or vote whereby we can be sure that the matter can be considered in the next week, considered thoroughly by the Council, and some action taken. I think the responsibility would be too heavy on us in going away without considering the matter. If you can suggest something I would like to make that motion.

President COLLINS—The Chair would suggest that if reconsideration of reference does not prevail the order will be before the Committee on Finance; in the event of the Committee on Finance not taking it up, as it undoubtedly will, if a majority of the members of the Council see fit to have that taken up, then of course another order may be introduced at a subsequent meeting of the Council and the City Council may do as it sees fit under the circumstances.

Coun. HALE—Can you tell me when the next meeting of the City Council is going to be?

President COLLINS—The Chair will advise the councilor that during the recess I hope there will be a short conference so that we may have a meeting sometime within the next week in order to clean up our business. If that is agreeable to a majority of the members of the Council it is agreeable to the President.

Coun. HALE—Would it be in order to present a motion requesting the Committee on Finance to report on this matter before or at the next meeting of the Council——

President COLLINS—The Chair will state that that is an unusual form of procedure which the Council does not usually take unless it is absolutely necessary, unless the chairman of the Committee on Finance, after a majority of the members of the Council requested him to hold a meeting, would not do so. If an amendment of that kind is introduced in this body, the Council ordering a committee to report, the committee consisting of all the members of the Council, it would be unusual and a departure from precedent.

Coun. HALE—Mr. President, you see the position in which I am placed, that there seems to be a tendency in the Committee on Finance not to discuss this particular item. I mean an attempt was made to-day to discuss this and to get this particular letter read, and it was not allowed to be read, and I feel that it is a tremendously important thing. I mean I don't think we ought to refuse to consider this matter. A man like Mr. Shuman, whom everybody knows and respects, when he writes letters like this, recommending this thing in these strong terms, I don't think we are doing our duty by not considering it. For that reason I think that we ought to have an order of that kind passed, which I should present after this vote is taken. I shall, Mr. President, vote in favor of reconsideration to-day, and if it prevails I shall move to have this matter referred to the Executive Committee which meets always when the Council meets.

Coun. KENNY—Mr. President, it seems, from his own confession, that the senior member from Ward 11 has been asleep. He has been asleep here this afternoon and has been asleep for months, apparently, as well. This matter has been before the Council for a long time. The distinguished member of Congress sitting here as a member of this Council as well spoke to me about it sometime ago, I think within a month, and I said to him that I thoroughly believed in any action of this Council that would serve to alleviate the conditions of the hospital, and that I intended as soon as the weather was more propitious to call a meeting of the Committee on Finance and go up to the hospital and look the ground over. The facts of the matter are that the hospital, although of course deserving of our great consideration, has had very great consideration. Perhaps no other department in the government has received as much consideration in the matter of providing funds as the Boston City Hospital,—which is all right, Mr. President; I agree that whatever money has been spent there has been spent wisely and judiciously. Now there are other matters, however, pending before the Committee on Finance which must receive consideration, and it is my intention as soon as the members are here in town and can get together to call them together. I shall regret, of course, the necessity of my friend going away without perhaps being able to give this the attention he would like to give it at the eleventh hour,—and there are other members going away. Nevertheless I shall not be in favor of taking it up right away, but I do say at the proper time, namely, when we are all here in town and the weather is propitious, I intend calling a meeting of the committee and going up there and making an examination. Last summer a lot of money was spent for the hospital. I think if I recall correctly, the latter part of July the Mayor called us together and recommended that we take a certain amount of money from the taxes, which we did. Here this afternoon my friend from Ward 17 was in favor of taking the money out of the Reserve Fund. That looked pretty good to me. I believe in using up the Reserve Fund on these permanent and important improvements. I think I said at a previous meeting we only have about so much money to spend in any event. I don't believe in increasing the taxes for permanent improvements unless there is some important reason for it. But where we have the money on hand I don't believe in borrowing money therefor. I shall be in favor of using up the Reserve Fund first for permanent

improvements. I think it is good financing and good judgment.

Coun. HALE—Do I understand, then, that the Chairman of the Committee on Finance is not going to call a meeting of the Committee on Finance before we adjourn for the summer to consider this matter of the City Hospital?

Coun. KENNY—Before answering that question I would like to correct a statement that the member made a few minutes ago in his remarks, when he said that this afternoon he was unable to have read those papers that have been presented here by my friend from Ward 17. If there is any other member of the Council here aside from the senior member from Ward 11 who recalls that matter in that light, who recalls that an attempt was made to read letters that were not read, I would be glad to have him say so, because that is not my recollection of it. Now, answering his question, Mr. President, I would say this, that it is not my intention at present to call a meeting of the Committee on Finance. The ex-President of the Council is about to go to Europe. He sails next week, I think. He has been in attendance here at every committee meeting and at every meeting of this Board since I have been a member here. He is about to leave for Europe on a vacation which, I think, we all agree he is entitled to, so that it is not my intention, Mr. President, to call a meeting of that committee immediately.

Coun. CURLEY—The councilor asked if there was an attempt to shut off the reading of letters. Now I feel that he should not make a statement of that character. He knows that he declared the meeting adjourned when this question was called up; that it required some little persuasion to induce him to put a motion that was regularly made for a calling of the roll, and that when that motion was finally carried it was carried by a vote of five to three; that it was then asked that the communication he read, and that the communication was not read; a portion of the communication was read; that portion sent by his Honor the Mayor, signed by himself, this communication dealing with the proposition, was not read. Now, then, Mr. Chairman, I want to say this—that it is all very well to refer to the distinguished member from Ward 11 and the distinguished congressman from Ward 17, and it is all very well to refer to the fact that somebody has got to take a trip to Europe—but, Mr. Chairman, I don't feel that an order of this character is one that should be made an occasion for levity. It doesn't matter whether a man is a member of Congress or is a distinguished member of this Board from Ward 11. He is a member of this City Council, sent here to carry out the will and the wishes of the people of this city. Now, then, Mr. Chairman, it is all very well to make a joke out of this order, take it lightly, consider it a matter for levity, but it is not at all becoming. And I want to say further, Mr. Chairman, that I don't think the time has come in this City Council, or ever will come, where a Committee on Finance, supposed to consist of the entire Board, shall consist of one member alone, and that the wishes of one member shall be the wishes of the entire Board, regardless of their own ideas on any proposition. I want to say further, Mr. Chairman, that the councilor on my right has asked the question as to how this can be acted on speedily. If the members of this Board are really desirous of carrying out the wishes of the hospital trustees, which really are the wishes of the people of the entire city, who pay the taxes that make possible our salaries, who pay the taxes that make possible the conduct of this and every other institution, who are entitled to this measure of protection,—if reconsideration obtains to-day this order can take its first reading to-day and two weeks from to-day can become a law. There is no way in which it can be done in a different manner and in a shorter period. Now, then, Mr. Chairman, I have no desire to seek any vainglory in this matter. I talked it over with the chairman of the Committee on Finance two weeks ago and at the last meeting of the Board. I brought it up in the Committee on Finance to-day, brought it up with the members individually and asked them how they felt about the matter. If the city didn't have the money to borrow for this purpose then there would be some grounds for this position. I have here the figures submitted by the auditor. I assume they are correct. He says that the borrowing capacity of the city is $2,091,983.47. If that is correct there is certainly no reason why this money which is to be expended for such work as will be in the nature of a permanent public improvement should not come out of a loan. But assuming that those figures are not correct—which I assume from the snicker on the other side of the Chamber—there is certainly sufficient money to cover the cost of this proposed public improvement. Now if that money is there we owe it to the people of the City of Boston to provide it. There is no reason why infection should be general throughout the city; no reason why underpaid nurses at the City Hospital should be exposed to that infection. Take the women who serve as nurses there. The first six months they serve without salary; the next six months they receive five dollars a month, and the next year eight dollars a month—splendid salaries. I don't care to discuss some of the customs and practices that have been put in operation there to effect economies; but if I were to discuss them, Mr. Chairman, it would make every person connected with the city government of Boston ashamed that such economies were put in operation. I won't touch on them, but they should not be permitted. Now, Mr. Chairman, this is an opportunity to provide something that should be provided, to protect the people, provide protection for the people against infection, provide against infection of the nurses, provide protection of the orderlies against infection,—those self-sacrificing persons who go there and put in their time for wages that are a disgrace, and leave them exposed to all manner of infection. That is wrong. The city needs those buildings. There is a crying need for it, and I say it is a shame and an outrage if we don't vote this money to-day and make a start. If any of the statements contained in this communication from the trustees are not as they are set forth by the trustees, any member of this Board can, within the next two weeks, visit the hospital and find out. The chairman of the Committee on Finance says after we visit the institution and find out if there is a present need of this we can consider it. You can reconsider this order to-day; you can give this loan its first reading to-day; then investigate during the two weeks; and if you find it is not as set forth then I will vote with you against it.

Coun. KENNY—I would like to ask the member a question—if he was present at a meeting of the Committee on Finance at Long Island about six weeks ago when the question was brought up for the first time as to the necessity of borrowing money for the purpose of establishing another building on that island to take the place of the Charlestown Almshouse?

Coun. CURLEY—If I felt that that question were germane to the question under consideration I would feel compelled to answer it. I am astonished that the councilor should ask a question of that character. We are discussing this particular loan and the necessity for it. I have moved reconsideration. The facts have been submitted by the Mayor and the trustees and I feel the members should vote in favor of it.

Coun. KENNY—My object in bringing that up at this time and asking the question was to show the Council that it is very doubtful if the member who has been addressing the Council this afternoon has considered in any way the Long Island conditions.

Coun. CURLEY—Mr. Chairman, I believe that the proper and the best mode of procedure is to cross a bridge when you come to it. Now the bridge of Long Island is somewhat distant from us. I didn't go on that junket to Long Island. I assume that there is a need for a loan for Long Island to provide proper accommodations for those persons who will be compelled to vacate the quarters at Charlestown. I am prepared to vote in favor of a loan for that institution any time at all; and as the distinguished councilor has so often said, I am prepared at all times to vote in favor of a loan. I am, Mr. Chairman, when I feel it is merited.

Coun. KENNY—The member who has just taken his seat has saved me the necessity of making any further reply by his last statement.

Coun. SMITH—It is with a great deal of regret that I listen to this debate which I find bordering on personalities throughout. It seems to me the Council in past meetings has been altogether too prone to enter into personalities. It does not help the debate on the question in any way that I can see. I would like to explain the reason I am not going to vote for reconsideration on ths matter—simply because there are two other matters which I consider equally important and about which I know less: One, the almshouse at Long Island,

requiring $250,000; and the other, the Consumptives' Hospital. Those two matters must be considered in connection with this loan, and I am not competent to form an opinion about which one I should vote for or whether I should vote for all of them. I will say that I have given a good deal of attention to the addition to the hospital. I have had two conversations with Mr. Shillaber, and arranged at the last meeting to have Doctor McCollom here to state his case, but the Council would not take up the matter, and Doctor McCollom was not called upon. I brought up the question with Mr. Shillaber, whom I consider one of our most valued citizens; I took up the question whether the hospital could get along with $150,000 and have half the infectious ward built they now plan to have built, with an end to be added on as the city had funds. He considered that might be done and returned to the hospital saying he would try to get up plans and consult architects and find out whether that could be done. And it seems to me under our present financial burden perhaps that would be the best policy. I must consider in my personal vote which one of the three I shall favor, or whether I shall vote for all three; and also whether we have borrowing capacity sufficient to enable us to handle all three or even one of them. I consider the figures alluded to to-day as only superficial because there are a number of loans which are imperative and must be dealt with. And in figuring those up I found we had somewhere in the neighborhood of $200,000 leeway—perhaps less than that—which would not permit of this one improvement being made. I simply wished to state my personal reason for voting against reconsideration. I have not considered various matters that I consider necessary or whether they can be built out of the loans we now have before us. It seems to me everything that has been said as to the merit of this addition to the hospital is justified, but it is simply a question of degree and policy.

Coun. HALE—I agree with Coun. Smith fully about the advisability of considering loans together; in fact, I have urged that from the beginning of the year and all through last year; and if orders are put in for those other two I am perfectly willing to include those so that we can consider them. The reason I think this is more important than the almshouse. which I have considered somewhat, is due to the very effective statement made by the councilor from Ward 17, who said he thought that would not be needed this year; that had great influence with me; so I don't think that matter is so pressing as this. I think possibly the Consumptives' Hospital is, and if Coun. Smith put in a loan order for the amount required I would be glad to include that in my motion for reconsideration. As to the other objection Coun. Smith made, I also agree fully with the principles expressed by him, but I do not see their applicability here,—namely, the question whether the city has the necessary amount of money. As I stated before, I am going to vote in favor of reconsideration; I am not going to vote in favor of passing this loan order to-day because, as Coun. Smith says, I think we should consider the matter. But I don't think we should postpone it, and that will will be the result of not voting for reconsideration; it will result in postponing the consideration of this apparently very pressing matter until some time in September. I for one want to consider whether we have the money for it; also whether this should be loaned or whether part should come out of the Reserve Fund. I want to consider all those financial aspects of the matter. But I want to consider them within the next two weeks and not next September. I think it is too important a matter to put over two or three months.

Coun. CURLEY—I want to say, as I said in the Executive Committee to Coun. Smith, in relation to the Consumptives' Hospital, that I still believe it is only a question of time when the injustice of one city in the Commonwealth maintaining a magnificent tuberculosis hospital which is generally used by the persons living in other cities and towns adjacent will be considered by the state, and that that institution, as in the case of the insane hospitals, will be taken over by the state. The state should conduct the tuberculosis hospitals in the state. That principle is generally regarded as sound. Unquestionably within a year or two the state will take over the consumptives' hospitals. It will take them over just the same as the insane hospitals have been taken over. Now if $40,000 is to be expended for a children's ward I would say that is all right; but if you are going to spend $150,000 for various purposes there I would question the wisdom of it, because when the state takes over the property the allowance they charge over to wear and tear would be such as to cause a considerable loss to the city. With relation to the almshouse, as Coun. Ballantyne has pointed out, there are sufficient accommodations there at the present time, and if the $250,000 or $300,000 which Coun. Kenny speaks of, but which I am satisfied he would never vote for,—if that money were appropriated it could not be used by the trustees of that institution at the present time. Now, then, Mr. Chairman and gentlemen, the land is owned by the city where it is proposed to erect these buildings. The necessity for the buildings is apparent in the communication that we have received. I can conceive of no great injury that would result from reconsideration and favorable action upon this matter. If the question under consideration is whether this particular loan is more important than either of the other two loans, then I am willing it should stand on that basis, contending that the communication from the trustees is sufficient proof of the fact that it is more important. But I can conceive of no other argument that can be presented, and I can see no justification of the policy of turning it down, in view of the fact that it can't become a law until fourteen days after its first reading in this Board, which is ample time for any person to ascertain whether the facts contained in the communication are correct or otherwise.

Coun. HALE—Just one word more. A vote for reconsideration is not a vote in favor of this loan order; it is a vote in favor of the immediate consideration of the necessity of this loan order. A vote against reconsideration is not a vote against the loan order; it is a vote against the immediate consideration of the necessity of this loan order.

President COLLINS—The question comes on the motion of Coun. Curley, namely, to reconsider the reference of the said order to the Committee on Finance. Those in favor will signify it by saying "Yes"; those opposed, "No." It is not a vote and reconsideration does not prevail.

Coun. CURLEY—I doubt the vote and ask that the roll be called.

The roll call was taken and reconsideration of the reference was refused, yeas 3, nays 5, viz.:

Yeas—Coun. Buckley, Curley, Hale—3.

Nays—Coun. Ballantyne, Collins, Kenny, McDonald, Smith—5.

ORDINANCE REPORT.

Coun. McDONALD for the Committee on Ordinances, submitted a report on the Message of the Mayor and ordinance (referred Feb. 13) relative to children on the streets—recommending that the City Clerk communicate with the Corporation Counsel and Police Commissioner relative to the possibility of enforcing said ordinance.

Accepted.

RECESS TAKEN.

The Council voted at 5.15 o'clock p. m., on motion of Coun. KENNY, to take a recess subject to the call of the President.

The members of the Council reassembled in the Chamber and were called to order by the President at six o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. BALLANTYNE, for the Executive Committee, submitted the following:

(1) Report on message and communications (referred to-day) relative to the collection of garbage at the North End—that the same be placed on file.

Report accepted; papers placed on file.

(2) Report on communications from Park Department and order (referred June 28) relative to sale of land in Brighton district, bounded southerly by Commonwealth avenue and northeasterly by Chestnut Hill avenue—recommending reference to the Committee on Public Lands.

Report accepted; said reference ordered.

(3) Report on order (referred June 26) that in accordance with provisions of chapter 530 of the Acts of 1911 an annuity of $300 be hereby allowed and paid to Hattie Burke, widow of Patrick Burke, who was killed while in the service of the city—that the order ought to pass.

Report accepted; order passed.

(4) Report on message of Mayor, communication and order (referred to-day) transferring the sum of $4,000 for Mystic Playground, Sea Wall and Fence—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

(5) Report on message of Mayor and order (referred June 28) transferring the sum of $48,000 for new steamboat for Board of Health—that the order ought to pass.

Coun. HALE—I would like to say simply this, that I am voting against this appropriation not because I am not in favor of the matter, but because by voting against it the money will become available for the boat by loan which, in my opinion, is the proper way.

Coun. KENNY—When the report is accepted I am going to move that that matter lie on the table—after the report of the committee is accepted.

President COLLINS—The gentleman asks a division of the question. The question comes on accepting the committee's report.

The Chair being in doubt as to the result of the *viva voce* vote, a rising vote was taken, whereupon it appeared that three had voted in the affirmative and three in the negative, and it was not a vote.

Coun. McDONALD—I further doubt the vote and ask for a verification by roll call.

President COLLINS—The question comes on accepting the committee's report. The Chair will also state that the acceptance of the committee's report does not place any member of the Council as in favor of or as being opposed to the proposition. The Clerk will call the roll.

The roll call was taken and the Council refused to accept the report of the committee, yeas 3, nays 4, viz.:

Yeas—Coun. Collins, Kenny, McDonald—3.

Nays—Coun. Buckley, Curley, Hale, Smith—4.

Coun. KENNY—I move reconsideration of that vote whereby the Council voted not to accept the report of the committee, and I would ask that my motion be assigned for the next meeting.

President COLLINS—The question comes on the motion of Coun. Kenny.

Coun. SMITH—I don't quite understand the purpose of the motion. That is, as I understand it, the motion is to reconsider this last vote at the next meeting or at the present meeting?

President COLLINS—At the next meeting.

Coun. SMITH—Is that a strictly proper motion?

President COLLINS—The Chair rules that the point of order is not well taken, and that it is a proper motion.

Coun. CURLEY—I would like to say that the vote has already been taken. The Chair has not announced it.

President COLLINS—The Chair has not announced it. The Chair gave Coun. Smith an opportunity to be heard. Those in favor will say "Yes"; those opposed will say "No," and it is a vote.

Coun. HALE—I doubt the vote.

The roll call was taken and assignment of the motion to reconsider was refused, yeas 3, nays 4, viz.:

Yeas—Coun. Collins, Kenny, McDonald—3.

Nays—Coun. Buckley, Curley, Hale, Smith—4.

President COLLINS—The question now comes on reconsideration. Those in favor of reconsideration will say "Yes"; those opposed will say "No." The Chair is in doubt. As many as are in favor of reconsideration will rise.

Coun. KENNY—I ask that the vote be taken by roll call.

The roll call was taken and the motion to reconsider was lost, yeas 3, nays 4, viz.:

Yeas—Coun. Collins, Kenny, McDonald—3.

Nays—Coun. Buckley, Curley, Hale, Smith—4.

Coun. McDONALD—I would like to know what becomes of the order?

President COLLINS—The Chair will state that the order remains in the Executive Committee.

Coun. CURLEY—I was going to ask Coun. Kenny, through the Chair, if there were not some other reports from the Executive Committee? If my memory serves me right, there were other papers which he was ordered to present here.

(6) Reports on petitions for licenses to sell, rent or lease firearms at various places—that leave be granted, viz.:

J. B. Hunter & Co., 60 Summer street, Ward 6.

Giovanni Mongardi, 16 North square, Ward 6.

Pearlstein & Fredberg, 86–88 Merrimac street, Ward 8.

Pearlstein & Shear, 52 Shawmutavenue, Ward 7.

Charles Cohen, 51 Endicott street, Ward 6.

Benovitz & Sheinkopf, 150 Merrimac street, Ward 8.

Simon Miller, 60 Howard street, Ward 6.

Levine Brothers, 35 Beach street, Ward 7.

Back Bay Loan Company, 373 Columbus avenue, Ward 10.

Placid Amaru, 5 Prince street, Ward 6.

Reports severally accepted; licenses granted on the usual conditions.

GARBAGE COLLECTIONS, NORTH END.

Coun. SMITH offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to inform the City Council as to whether garbage is collected in the North End section of the city according to the regulations of the department.

Passed.

GENERAL RECONSIDERATION.

Coun. McDONALD—I move a general reconsideration.

Coun. HALE—Might I ask a question before that comes up, as to whether any motion has been passed as to when we shall adjourn to?

Coun. KENNY—I move that we adjourn now to meet a week from next Monday at four o'clock.

President COLLINS—The question now comes on the motion for general reconsideration by Coun. McDonald, hoping that the same will not prevail.

The motion was lost.

FREEPORT STREET BATHING BEACH.

Coun. CURLEY—Mr. Chairman, I should like to ask what became of the paper acted upon by the committee with reference to the Freeport Street Bathing Beach—whether that is still in the hands of the acting committee?

Coun. KENNY—I haven't seen the paper that is referred to. I supposed that was with the others. I handed over all the papers given to me by the Clerk of the Committees.

Coun. CURLEY—I supposed when an order was reported that it should be acted upon and should be in the hands of somebody. I presume it must be in the hands of the Clerk of Committees. If it would be in order, I would move that the City Messenger be instructed to wait upon the Clerk of Committees and bring that here.

President COLLINS—The question comes on the motion of Coun. Curley that the City Messenger be instructed to wait upon the Clerk of Committees and bring to the Council the paper with reference to the Freeport Street Bathing Beach.

Coun. McDONALD—I understood that the members agreed to allow that order to lay over until the next meeting of the Executive Committee, and the President himself told the Clerk to hold it.

Coun. KENNY—I believe there was some such suggestion.

Coun. McDONALD—The President himself told the Clerk to hold it over.

President COLLINS—If there is no objection, it was agreed at the time that the Executive Committee voted that if it were reported it should lie on the table here. So I don't think it matters very much one way or the other.

Coun. CURLEY—My desire purely is that we proceed in the conduct of our business according to regular parliamentary procedure. It is not what one member says to another member or says to the Clerk. It is what the body votes as a body. We voted to act on that paper.

President COLLINS—The Chair rules that the point of order is well taken.

Coun. HALE—My recollection of this matter is different from that of Coun. Curley. I thought instead of voting to report in favor of it we voted to put it over one week.

President COLLINS—That is purely a matter of opinion as to what the other members of the Council understood at that time. The Chair now entertains the motion of Coun. Curley that the City Messenger be requested to instruct the Clerk of Committees to bring forth the paper relating to Freeport street.

The motion was carried.

Coun. CURLEY—If it would be in order, pending the action of the City Messenger, I would like to say on this particular matter that it can't be

considered in the nature of a loan as we consider loans generally speaking for permanent improvements, for this reason, that that entire section of Dorchester has a population that is equal to any of the large cities in the State, with the possible exception of Boston and Springfield, and that the city at the present time leases a beach at Dorchester.

President COLLINS—The Chair suggests that the councilor is not talking to a motion. The Chair will declare a recess.

A recess was had at 6.10 o'clock p. m.

The Council reconvened at 6.14 o'clock p. m.

President COLLINS—The Council will be in order. The Chair awaits the pleasure of the Council. Reports from the Executive Committee. The Clerk will read.

Report on the message of the Mayor on order (referred June 28) for transfer of $9,000 for purchase of shore property at Freeport street, Dorchester, and the improvement thereof as a bathing beach —that the order ought to pass.

Coun. CURLEY—In view of the fact that there is scarcely more than a quorum of the members present, I move that the order be recommitted to the Executive Committee.

The motion was carried and the order recommitted.

Coun. KENNY—I move we now adjourn to meet at three o'clock p. m., on July 17, 1911.

The motion was carried, and the Council adjourned at 6.15 o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, July 17, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair. Absent—Coun. Attridge and Ballantyne.

The Council voted, on motion of Coun. KENNY, to dispense with the reading of the records of the last meeting.

INCREASE IN NUMBER OF FIREMEN.

The following was received:

City of Boston,
Office of the Mayor, July 17, 1911.

To the Honorable City Council:

I respectfully recommend the passage of the accompanying order authorizing the City Auditor to transfer the sum of $25,000 from the appropriation for Reserve Fund to the appropriation for the Fire Department, Current Expenses.

The Fire Department at present is undermanned and to this very dangerous condition attention has been sharply drawn by the recent fire in the Dorchester district. On the occasion of this fire five machines, three engines and two ladder wagons responded with a force, including officers, of twenty-three (23) men and the requisite full complement is thirty (30) men. This particular instance of undermanning is in nowise exceptional, and is a very fair display of the force permitted with the limited number of men. Some of the criticism of the handling of fires has been due to this condition of undermanning; the department as to individuals is of high efficiency.

I append hereto copies of two written communications from the Fire Commissioner to the Mayor, both dated April 11, 1911. These communications set out the condition of undermanning which obtained at that time, and this condition is far more acute at the present time through the absence of seventy men on regular and legally established vacations. The continuance of this condition must not be tolerated for a moment longer than the time required to terminate it.

As stated in these communications from the Fire Commissioner the contemplated increase in the number of firemen was demanded at that time and has since been demanded. These demands have received the approval of the Finance Commission and the National Board of Fire Underwriters after full investigation.

No person or body of authority and competency has questioned the pressing necessity of the contemplated increase. In the event of a conflagration the preventable damage to property and possibly loss of life would be immeasurable and irreparable, and in this connection any failure on the part of us who have the responsibility of caring for the city would be unpardonable.

No obstructive legal niceties without warrant in the law and which can have only the consequence of idle discussion entailing delay and a continuance of the existing highly dangerous condition, and no petty personal considerations, should be permitted to interfere with the full discharge of our duties in this dangerous situation. The provision in our charter is clear: "In the case of decease, inability, absence or resignation of the Mayor, and whenever there is a vacancy in the office from any cause, the President of the City Council, while said cause continued or until a Mayor is elected, shall perform the duties of Mayor," and so is the further provision pertaining to the absence of both the Mayor and the President of the City Council. I am convinced that the restriction of the exercises of "the powers of the Mayor only in matters not admitting of delay" does not apply in the present instance; I am very firmly convinced that this matter does not admit of delay.

Our duty is plain and our course clear, and we should move in our work with determination and dispatch.

I ask and hope that the City Council will take the requisite action to-day to pass the order herewith submitted to the end that the necessary and proper action of increasing the number of firemen by fifty, thereby conserving the property and preserving the lives of our citizens, may be taken at once.

Respectfully,
WALTER L. COLLINS, Acting Mayor.

—

April 11, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—I have the honor to request that the City Council appropriate seventy-five thousand (75,000) dollars to cover the salaries and expenses of additional firemen. The great necessity of these men is fully explained in the accompanying letter.

I desire to call your attention to the fact that the appropriation of this department, as passed by the City Council, has been reduced $68,966.45. This reduction makes it absolutely impossible for the department to enter upon any material expenditure without an additional appropriation.

Without an increase in the fire-fighting force proper fire protection for the city during the summer is very problematic. I request that this matter be brought to the attention of the City Council at once.

Very respectfully,
C. D. DALY,
Fire Commissioner.

—

April 11, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—Pursuant to my communications of this date requesting an additional appropriation for the purpose of hiring additional firemen I beg to call your attention to the condition which now exists relative to the inadequate fire service which will confront the city during the summer months.

Quoting from the report of the National Board of Fire Underwriters:

"The fire force, while nominally strong, is seriously weakened by the allowance of time off under the present arrangements; even companies in the most important districts are often reduced to four or five men in quarters during eleven out of twenty-four hours. At such times, companies responding to fires must assist one another with a loss of valuable time at the most critical stage. This is the most serious deficiency of any pertaining to the department and demands immediate attention. The number of men in each company should be increased, or at least provision made for relief men to take the places of all members on vacations, sick and special leave or details and in some cases for those on days off."

"Members are allowed two meal periods of two hours or three of one and one-quarter hours daily, one day off in five and fourteen days' annual vacation. These, with the details, sick leaves, etc., reduce the fire force during eleven and one-half hours each day to about one-half and in many instances less than one-half of the total membership."

"The following figures, taken from the chief's morning reports, show the fire force on the days when a maximum and minimum of men were on duty during two periods of one month each:

DATE.	Total Enrollment of Department.	Employees Present.	Detailed to Shop, etc., from Fire Force.	Detailed to Light House Duty. (Recovering from Sickness.)	Absent on Days off, Vacation Leave. (Compulsory by Law.)	Fire Force for the Day.
1910.						
July 29.....	990	78	13	6	267	626
Aug. 15.....	992	83	13	7	302	587
Nov. 18....	995	94	16	9	233	643
Dec. 17.....	994	91	16	8	215	664

BOSTON PRINTING TRADES UNION LABEL COUNCIL

"The average force available during these two months was 636, or less than two-thirds of the department roll. During the meal periods the fire force on duty at fire stations averaged about 424. These conditions are representative for the past year. In the vacation months, May to November, the number of men in quarters during meal periods sometimes reached the following:

In 13 and 14 man engine and ladder companies,	5
In 9 and 12 man engine and ladder companies,	4
In 7 and 8 man ladder companies	3
In chemical companies	3

"An engineer or an assistant is always with each engine, but when the company is reduced to four men there is only one available for hose duty, and in a ladder company with four men present three are available for ladder work. This means, unless the ladder truck is of aerial type, that ladders over 35 feet long can be raised only with the assistance of members of other companies, and that engine companies must also have assistance in getting lines on the fire."

"The extent to which the fire force is reduced during meal hour periods in the summer was illustrated at the general alarm on August 9, 1910. The first alarm for this fire was received at 6.17 p. m. and the sixth or general alarm at 6.30 p. m. Figures compiled from the department's records show that at the time these alarms were received less than 43 per cent of the members of the fire force were in the quarters of their companies. Many men on days off, detailed and leave, responded as soon as they knew of the fire, although not required to do so."

"Distribution.—In the congested value district are stationed five engine companies, each with an engine of the first size or larger, three ladder companies, one water tower and a chemical engine; four more engine companies, three ladder trucks, a fireboat, a water tower and a chemical engine are close about its limits. At least two and frequently four engine companies are within one-half mile of any point in this district, but in the center of the area, in the vicinity of the Old State House, are many valuable buildings more than one-quarter of a mile from any company. Elsewhere in the city proper an engine company is usually within one-half mile of any point, although this distance is exceeded in some parts of the Back Bay district."

The above points out clearly the grave danger there is to the city from fire unless adequate steps are taken to increase the present force. Quoting from the communication of the Finance Commission to the City Council, dated March 22, 1911: "The present Fire Commissioner believes fifty instead of one hundred more firemen will be sufficient, and in this opinion the Finance Commission concurs."

In addition to the above investigation, which corroborates the views of this department in regard to the necessity of additional firemen, I beg to call your attention to the detailed statement of the short-handedness of this department, submitted to this office by the various district chiefs, under date of October 4:

NUMBER OF MEN REQUESTED.

As Reported and Requested by the District Chiefs.

District No. 1.

Engine 5	2 men
Engine 11	2 men
Engine 40	1 man
Total	5 men

District No. 2.

Engine 32	1 man
Ladder 9	2 men
Ladder 22	1 man
Chemical 9	1 man
Total	5 men

District No. 3.

Engine 25	2 men
Engine 38–39	2 men
Ladder 8	2 men
Total	6 men

District No. 4.

Engine 8	1 man
Ladder 1	1 man
Ladder 24	3 men
Tower 1	1 man
Total	6 men

District No. 5.

Engine 10	1 man
Engine 26–35	1 man
Ladder 17	1 man
Total	3 men

District No. 6.

Engine 2	2 men
Ladder 5	1 man
Ladder 20	2 men
Total	5 men

District No. 7.

Engine 3	1 man
Engine 33	1 man
Ladder 13	2 men
Total	4 men

District No. 8.

Engine 13	1 man
Engine 37	2 men
Ladder 26	3 men
Total	6 men

District No. 9.

Engine 12	2 men
Engine 23	1 man
Engine 24	1 man
Ladder 4	1 man
Total	5 men

District No. 10.

Ladder 23	2 men
Ladder 27	5 men
Total	7 men

District No. 11.

Engine 29	3 men
Engine 34	2 men
Ladder 11	1 man
Total	6 men

District No. 12.

Engine 28	1 man
Engine 30	2 men
Engine 42	1 man
Ladder 10	2 men
Ladder 16	1 man
Ladder 25	3 men
Chemical 5	1 man
Total	11 men

District No. 13 (Marine).

Engine 47	1 man

District No. 14.

Engine 19	2 men
Engine 46	3 men
Engine 6	4 men
Chemical 11	3 men
Total	12 men
Grand total	82 men

The above clearly shows that to delay in this matter would be a grave mistake. I therefore ask that this request be brought to the attention of the City Council at the earliest possible moment.

Very respectfully,
C. D. DALY,
Fire Commissioner.

—

Ordered, That the City Auditor be and hereby is authorized to transfer the sum of $25,000 from the appropriation for Reserve Fund to the appropriation for Fire Department, Current Expenses, to be expended by the Fire Commissioner for the purpose of increasing the force by fifty men.

Coun. CURLEY—Mr. President, I move the suspension of the rules that the recommendation of his Honor the Acting Mayor may be placed upon its passage.

Coun. BUCKLEY—Mr. President, while I am in favor of this increase in the Boston Fire Department it seems to me that before we act on this matter we ought at least to ask the Corporation Counsel of the City of Boston whether or not it would be legal. We do not want to do anything

here which may he questioned later, and while I realize that his Honor the Acting Mayor is the judge of what will or will not admit of delay, still it seems to me that out of courtesy to the Mayor of Boston the Corporation Counsel's opinion should be asked, and asked this afternoon. Then if we found that this matter could be passed this afternoon, why, we could vote on it knowing that everything would be absolutely legal. I move that this order be referred to the Executive Committee.

The PRESIDENT—The question comes on the motion of Coun. Curley that the rule be suspended. All those in favor say "Aye," those opposed "No." It is a vote.

Coun. HALE—Mr. President, I doubt the vote.

The PRESIDENT—Coun. Hale doubts the vote and asks for verification by the calling of yeas and nays. As many as are in favor of suspending the rule say "Yes," those opposed "No."

The Clerk called the roll with the following result, yeas 3; nays 4, viz.:

Yeas—Coun. Collins, Curley, McDonald—3.

Nays—Coun. Buckley, Hale, Kenny, Smith—4.

The PRESIDENT—Three having voted in the affirmative and four in the negative the motion to suspend the rule is defeated.

Coun. CURLEY—Mr. Chairman, I move a reconsideration of the vote just taken, hoping the same will prevail.

Coun. HALE—Mr. President, isn't Coun. Buckley's motion in order?

The PRESIDENT—Coun. Curley has the floor. The Chair rules that Coun. Buckley's motion when made was out of order and consequently is not entertained at this time.

Coun. CURLEY—Mr. President, in this connection I do not feel that it is necessary to set forth the conditions that obtain in the Fire Department. They must be apparent to every member of this City Council who has occasion from time to time to read the daily papers. It is no new situation that we are confronted with to-day. We are in the possession of information that we were in possession of a year ago, and even a year and a half ago. The attention of the public has heen called hoth hy public officials and hy their own observations to conditions that should not be tolerated in a city of the size of Boston. With relation to this particular incident or catastrophe, if I might use that word, that hrings the proposition more vividly to our minds, I want to say that I had occasion to witness some fire apparatus attending the fire in Dorchester, and when I made the statement in the Board some three weeks ago that it was a screaming farce to see the Fire Department on its way to a fire what I said was borne out by the facts in connection with the Dorchester fire. Engine 12 in Roxhury, one of the engines perhaps nearer than any other to the scene of the conflagration in Dorchester, proceeded up Blue Hill avenue on that particular day with one man driving the hose carriage and two newshoys with their newspapers standing on the rear of the hose carriage. And I am informed from a thoroughly reliable source that when the engine company arrived at the fire the services of the engineer were necessary to start the boiler; that the services of the driver of the engine were necessary to care for the horses, and that it requires from two to three men to make what is known as a Siamese nozzle connection; that there was hut one man to make a connection, and it was necessary to await the arrival of Ladder Company 4, which is located perhaps a quarter of a mile away from Engine 12 on Dudley street, to await the arrival of that great ladder truck, compelled to climb one hill on Dudley street and compelled to climb two hills on Blue Hill avenue, hefore there were sufficient men at the scene where the fire occurred to make proper connections and meet the situation. Every man is entitled to his own opinion with relation to the merits of the Fire Commissioner, and I do not propose to discuss that phase of the situation at the present time. He may be an exceptionally good man, or he may he an extremely poor man, but the fact remains that the conditions that ohtain in the Fire Department obtained under his predecessors; that fire apparatus has been noticed attending fires under Mr. Parker, his predecessor, and even under Mr. Wells at times, without a sufficient numher of men on the apparatus to meet the situation when they arrived at the fire. It clearly indicates to my mind one fact, and that is a fact that is known to every memher of this Board, that there are not a sufficient number of men in the Fire Department to properly handle the equipment at a fire. If that is the situation, why is there any occasion for delay? There is nothing that any man may say in executive session that cannot as well and as fittingly he said in the open Board here, and I believe that where this is a question that concerns the public, concerns the welfare of every man, woman and child in the entire City of Boston and in the surrounding suhurhs, the proper place to thrash out a matter of that character is right here in this Board. To my mind the question as to whether the Acting Mayor has the right to act in the manner that he has seen fit to act or not is not a consideration. I have had very little respect in the past for the opinions of the Corporation Counsel, and I want to say that I have not changed one particle in that particular. The opinions of the Corporation Counsel are seldom based on law, they are invariahly based on political expediency, and in all prohahility that might govern his opinion on this particular question. But this situation is governed hy a case of necessity. We recognize the necessity for additional men in the fire service. We realize that the public demand it, the public should have it, then why consider it in executive session? With relation to the proposition as to whether the Chair has the right to make a recommendation of this character, I do not feel that it is necessary to discuss the technicalities of that particular proposition. I helieve this is a situation that must be met. To my mind it suggests the situation that confronted Farragut when sailing by forts and when cautioned that the harbor was mined with torpedoes. Farragut's expression on that occasion has become an historical allusion whenever reference is made to naval heroes, wherein he said, "Damn the torpedoes! Give them four bells!" That is my opinion with relation to the opinion of the Corporation Counsel. I do not care what his opinion is. If the people of the city who pay the taxes feel that there is a necessity for an increase in the fire force,—and every man recognizes the fact that there is a necessity,—why delay, why refer to the Executive Committee? Why refer to any committee? It is apparently a universal demand. As was pointed out some three weeks ago, and I believe the reference is a matter of puhlic record, I helieve that I pointed out at the time that if similar conditions prevailed with a conflagration in Dorchester that ohtained in the case of the Chelsea fire, no human power could save the Dorchester district from complete destruction. And what is true in the case of Dorchester is true of any other section of the entire city. What we require is additional men in the Fire Department. The Press are unanimous in their demand for it. The public recognize the necessity for it. Talk with men in the Fire Department and every one of them will tell you the same thing, that there are not sufficient men to man the apparatus. If that is the condition, why the delay, why the reference to the Executive Committee? What can be said in secret session that any man is ashamed to have said here in the open session? I sincerely trust reconsideration will prevail.

Coun. HALE—Mr. President, I agree with Coun. Curley as to the demand for the fifty extra firemen, and I agree with him as to the need for the fifty extra firemen. I am convinced in my own mind that we need fifty more firemen in the Fire Department of Boston. But I do not agree with Coun. Curley in his vote on this particular matter. I think that Coun. Buckley is entirely right; that we, the City Council, should not go ahead to accomplish something which we all agree is good, in a way which may he entirely ineffectual. It is just like hucking up against a stone wall. I, for one, do not like that sort of experience. If the law is that we cannot make this appropriation in this way, what is the use of trying? I want to get the opinion of the Corporation Counsel. I think I have differed from him probahly in as many cases as Coun. Curley has, as to his legal opinion, but I want to get his reason why he thinks this is illegal, and then we can discuss this point and see whether we are trying to make fools of ourselves hy trying to do a good thing in an ineffectual way or not. I hope that this particular motion of Coun. Curley to reconsider will prevail, for this reason, that if we kill this motion of Coun. Curley hy these same votes that we just had, the result will be that the order, the transfer, will have to go into Committee on Appropriation or the Committee on Finance, and we will not he able to consider it to-day.

The PRESIDENT—The Chair will state that under the rules this order will he referred to the Executive Committee without any motion.

Coun. HALE—Do I understand, Mr. President, that Coun. Buckley's motion is now hefore the Council?

The PRESIDENT—The Chair will state that if the Council does not suspend the rules the order will he referred to the Executive Committee under the rule.

Coun. HALE—Mr. President, does the rule cover this?

The PRESIDENT—It does.

Coun. HALE—That is entirely satisfactory then. I hope that Coun. Curley's motion will not prevail, and that the order will go to the Executive Committee.

Coun. KENNY—Mr. President, I shall vote against reconsideration. I shall vote to have the matter referred to the Executive Committee. I should do that in all cases. I do not think we want to make an exception of this case. I think that as a matter of precedence and as a safeguard to future business in this Board, matters of this character should first he referred to the Executive Committee for consideration. It is not true as the councilman from Ward 17 has said that the sessions of that committee are secret. They are held in the presence of the reporters——

Coun. CURLEY—Mr. President, I should like to ask Coun. Kenny if any other persons are present at those sessions besides representatives of the Press?

Coun. KENNY—Mr President, I should say that there are many other people present from time to time in addition to members of the Press. Many members of the Press are always there, and they report the proceedings before that committee, very fully, as my friend very well knows, perhaps better than anyhody here. Therefore I shall vote against reconsideration. I hope that when the matter gets before the committee I shall then he prepared to discuss it, but I will reserve what I have to say till I get in there.

Coun. CURLEY—Mr. Chairman, I have been in attendance at meetings of the Executive Committee since the Council was organized and I confess that with the possihle exception of the Clerk of Committees and the City Messenger I have seen no great gathering there outside of newspaper men. I don't honestly feel that Coun. Kenny has. It may not he, perhaps, strictly private, hut it certainly can be dignified by the term semiprivate or *quasi* private. To my mind it is ahsolutely private with the exception of the newspaper men. But, however, Mr. Chairman, that is not germane to the proposition that is under discussion. I want to say, Mr. Chairman, that I am not an attorney, but I never knew two attorneys that agreed on any general proposition offhand without consulting their books,—and in all prohability some of the attorneys in the Board here would like to consult their references before they come to a decision on this proposition. I want to say, Mr. Chairman, that, with relation to the rights of the Acting Mayor, if no fire had occurred in Dorchester or any other section of the city, I would be of the same mind as Coun. Kenny, Hale and Buckley; that is to say, I would feel that there might be some question as to whether this was an emergency case. But, Mr. Chairman, the minute the fire occurred and it was demonstrated that the fire force of the city in that particular section at that particular time was insufficient to meet the situation then, Mr. Chairman, the question of the power of the Acting Mayor ceased and it became an ahsolute power. It was a case, Mr. Chairman, that would not further permit of delay. And, Mr. Chairman, it was a case that affected not only a particular section of the city hut affected the welfare of every man, woman and child in the city. And, Mr. Chairman, if the purpose of reference to the Executive Committee is that a conference may he held for the purpose of determining what constitutes an emergency case or what would be the proper interpretation to apply in the case of matters that would not permit of delay, I believe that that question can he threshed out here in the open Board. Certainly my friend here on the right, Coun. Hale, will not say that where a specific case of the need of additional men is involved and where in consequence of the lack of additional men property was destroyed and lives were placed in jeopardy, that that would not constitute a case of emergency or that that is not a situation that will not permit of delay. Now, then, Mr. Chairman, it might he likened, perhaps, to the case where an epidemic of smallpox should hreak out in this city. Would Coun. Hale or Coun. Kenny or Coun. Buckley have the temerity to stand on this floor and say that the Acting Mayor had not the power, in the absence of the regularly elected Mayor, to recommend $50,000 or a $100,000 or $200,000 to bc expended under the Board of Health for the suppression of the epidemic of smallpox and for the protection and the conservation of the health of the people of the city? Certainly not. No man would have the temerity to stand on the floor and say that a situation of that kind was one that would permit of delay. Now, Mr. Chairman, the facts are that in this city more lives have heen lost in the last twenty-five years hy fire than have been lost through the scourge of smallpox,—and yet if a smallpox epidemic hroke out in Dorchester and covered no greater area than was covered by the fire in Dorchester, this Board would not hesitate for one minute if the Board of Health stated that they required $50,000 or $100,000 to recommend that sum of money. Now, Mr. Chairman, this situation may he likened to the scourge of smallpox or some other infectious disease of a marked character, and it is a situation that will not permit of delay. Now, if that is the situation, if the only question that is to he considered in executive session is the question of splitting hairs so as to determine whether the Acting Mayor has a right to do this or has not a right to do it, I believe that this question can he threshed out here in the open Board and can be threshed out to the satisfaction of every member of the Board, and we can arrive at some definite conclusion without unreasonahle delay. Now, Mr. Chairman, that is the only argument that has heen advanced against immediate action on this proposition, that the Law Department has not rendered a decision upon it. Mr. Chairman, if a smallpox epidemic broke out and the Corporation Counsel and his able assistant,—perhaps more ahle than the Corporation Counsel himself,—were away from the city or the state, and were where it was impossible to reach them, will any man say that we should await their return before we would favor the Acting Mayor recommending an appropriation of $50,000 oi $100,000 for thc suppression of that smallpox epidemic? In other words, would we await their decision until the spread of the disease had reached such an extremity as to make it an impossibility to cope with the situation? Certainly not. Now, then, Mr. Chairman, that is the situation identically. I don't helieve that any member is against the necessity of the action. The only question apparently, in the minds of the members, is as to the advisahility of proceeding with the recommendation of his Honor the Mayor until such time as they have been properly advised by the Corporation Counsel. Now, Mr. Chairman, I have always maintained that if there is one individual that is fallible it is the Corporation Counsel, and it is just possihle that the Corporation Counsel might do as he has done many times in the past and render a decision that would not he sustained hy the courts. In the meantime the people of South Boston and of Dorchester and of Charlestown and of Brighton and the other sections of the city must await an appeal from the decision of the Corporation Counsel, if it should be adverse, until such time as the Supreme Court acts upon the appeal from the adverse decision. Now I maintain this is one matter that will not permit of delay. It demands immediate action. It is not a new case. It is not a case called to our attention to-day or yesterday or a week ago. It is a specific case, that is called to our attention, of a condition that has ohtained for two or more years in this city. We all recognize that additional men are required for the fire service of Boston, and I ask,— Have we any right to quihble as to whether the Acting Mayor has the power to make a recommendation of that character or not? Let us go ahead, vote the necessary money, protect the property and the lives of the people of the city, and then let the Corporation Counsel act; and if his action is adverse then let the courts act later and reverse his decision.

Coun. SMITH—Mr. President, my blood has run cold while Coun. Curley has been exploding his torpedoes, trumping up epidemics,—and I have wondered why such sudden need of haste, why such sudden excitement on the part of Coun. Curley. As he says, the matter has been before us over a year. There have heen reports from Commissioner Daly to the Mayor; there have been reports from the Finance Commission on this subject; why is this trumped up at this date with such apparent heat? Coun. CURLEY introduced a resolution, as he well remembers, the day before the Mayor sailed for Europe. The Executive Committee met, and in order to gain the Mayor's opinion on the matter went down to see him, and in the Mayor's office, if I remember rightly, after Coun. Attridge had stated the business of the Executive Committee in coming there, not one

word was said by Coun. Curley in support of his resolution. The Mayor gave his opinion frankly and openly against any increase in the Fire Department, and Coun. Curley offered not one word in support of his resolution.

Coun. CURLEY—I should like to ask the gentleman to yield.

Coun. SMITH—In a moment. He also was prodded on the subject by me. As I sat beside Coun. Curley I nudged him and asked him why he did not say something in support of his resolution. He said to me, "It is no use." The Acting Mayor was present at that meeting and he offered no support to that resolution. Other councilors were there who were reported to be friends of the Fire Department and they offered not one word, and it was left to me to say one word in support of the Fire Department of the City of Boston, and to say that I did not agree with the Mayor, in my humble judgment, in likening our Fire Department to the fire departments of Philadelphia, New York and Chicago. I stated my opinion frankly, saying that I thought our department needed a larger amount of money because we protected a larger risk in Boston than did the departments in Philadelphia and Chicago, and I also quibbled with him on the matter of his statement of premiums by the fire companies, and also about the dividends paid by the fire insurance companies. And I frankly stated that I thought we needed an increase in the number of men. And I have said so, I believe, several times in committee meetings. Now, in the face of a serious question as to whether the Acting Mayor has the authority to send this order here, I ask the councilor—Why such apparent heat and eloquence of a sudden? Is it because the Mayor is not in the city? I am very glad now to yield to the question of the councilor.

Coun. CURLEY—I was going to ask Coun. Smith if the purpose of the visits to the Mayor's office was to secure the Mayor's opinion or to argue the question with him. I want to say, Mr. Chairman, that I had already presented the order in the Council here for an increase in the number of the members of the Fire Department,—that my purpose in going to the Mayor's office was to get his opinion on the proposition. But his opinion on it would influence me in no way, and there was no occasion for me to argue with him, because I would not be convinced, being familiar with the conditions. I simply went there, as I believe Coun. Smith would recognize, to secure his opinion on the question,—not to argue the case with him.

Coun. SMITH—If that was the only purpose in going to the Mayor's office, it was hardly necessary, as he had expressed his opinion time and time again—that he would not increase the fire-fighting force in Boston. Therefore, I think we went on a foolish errand, if we went only on that errand. It seems to me we ought to put this matter into executive session in order to hear the opinion of the Corporation Counsel, especially as the Acting Mayor has not sent down any opinion from the Corporation Counsel. If he has an opinion from the Corporation Counsel I think we might obviate taking the matter up in executive session and thresh it out here at once.

Coun. McDONALD in the chair.

Coun. HALE—Mr. President, Congressman Curley has said that the only question before us was whether we agreed with the opinion of the Corporation Counsel, in case the Corporation Counsel has given an opinion. It seems to me there is another and a very much more important and practical question which has not been brought out here yet, and that is this: I have heard this,—I don't vouch for the truth of it at all,—but I have heard that the Corporation Counsel is going to rule that the Acting Mayor has no authority to do this, to make this appropriation. I have also heard, and this is the more important part of it, that if the Corporation Counsel does make this ruling Fire Commissioner Daly is not going to appoint these men. In other words, it is not a question whether we agree with the Corporation Counsel in his possible opinion but a question whether the man who is going to make the appointment of these particular firemen agrees with the Corporation Counsel. I think it would look very foolish in this Council to pass an order appropriating money for the appointment of firemen on the ground that we think the Corporation Counsel is wrong in his opinion, or running the chances we will have to take, and then have the man at the head of the Fire Department refuse to appoint the men on the ground that the Corporation Counsel has ruled that it is illegal. Therefore I think we should have both Mr. Babson—to find out his ruling—and Daly—to find out what he is going to do.

Coun. COLLINS—I did not purpose in these proceedings to take the floor. In fact, it was not my purpose during the entire discussion this afternoon, even before we had a meeting of the Executive Committee, or subsequent thereto, to take the floor, for this particular reason, that in my capacity in which I acted in sending this message to the Council I was acting as an executive. The law says that an appropriation must emanate from the executive. I issued that appropriation and it is before you now for your consideration. Consequently, feeling that I was acting at that time as an executive, although the law justifies me in acting and voting on the proposition before the City Council, yet I did not believe it was proper to come and discuss the particular merits of the matter or my reasons for sending this in, because I thought they were sufficiently incorporated in the language of the message which I have sent to the City Council. But my friend on the right, Coun. Smith, said if I had any reasons for sending this in he thought it might be meet for me to take the floor and state those reasons. I thought in my communication I had covered my reasons fairly well, but I am willing at this time, sir, to state perhaps a little more fully my reasons for sending this to the City Council. In the first place, I wish to call the attention of this Council, through you, Mr. President, to the specific wording of the statute under which we are operating:

"Section 47. If a vacancy occurs in the office of mayor within two months prior to a regular municipal election other than an election for mayor, or within four months after any regular municipal election, the city council shall forthwith order a special election for a mayor to serve for the unexpired term, subject if the vacancy occurs in the first or second year of the mayor's term to recall under the provisions of the preceding section. If such vacancy occurs at any other time there shall be an election for mayor at the municipal election held in January next following, for the term of four years, subject to recall as aforesaid."

The following words I wish to call specifically to the City Council's attention:

"In the case of the decease, inability, absence or resignation of the mayor, and whenever there is a vacancy in the office from any cause, the president of the city council while said cause continues or until a mayor is elected shall perform the duties of mayor."

Mr. President, the Mayor of this city at present is in Europe. He is absent. Consequently that condition is fulfilled. Therefore the President of the City Council as per that section, "while said cause continues," while his absence continues "or until a mayor is elected, shall perform the duties of mayor." I wish to call to the Council's attention specifically, as I have already stated, those words, for this reason—that in all of the discussion concerning the powers of the President of the City Council I have never heard that point of view discussed, namely, that in the absence of the Mayor the President of the City Council shall perform the duties of Mayor. There is, however, a second clause here which is the commonly accepted idea on the part of a great many, and we will accept that for the time being. It is as follows:

"If he is also absent" ——

To whom does that refer—the President of the City Council or the Mayor?

"If he is also absent or unable from any cause to perform such duties they shall be performed until the mayor or president of the city council returns or is able to attend to said duties by such member of the city council as that body may elect, and until such election by the city clerk. The person upon whom such duties shall devolve shall be called 'acting mayor.'"

To whom does that refer? Does that refer to the gentleman who might be selected in the absence of the President of the City Council? I leave that to your consideration.

"The person upon whom such duties shall devolve shall be called 'acting mayor' and he shall possess the powers of mayor only in matters not admitting of delay, but shall have no power to make permanent appointments except on the decease of the mayor."

Accepting that proposition for what it is worth, and not conceding that the former is incorrect, but for the time being conceding that the only

duties which I can perform are those not admitting of delay, let us take the concrete case before us. And I wish to call to your attention, Mr. President, a precedent which we established here within three weeks. I haven't heard one member of the Council dispute its validity. Less than three weeks ago it appeared that a sea wall in Ward 3 leading to the Chelsea Bridge needed repairing, or there was need of a sea wall. Accordingly in my capacity as Acting Mayor I submitted to this City Council a recommendation asking that $4,000 be transferred from the Reserve Fund to an appropriation for the Park Department to perform that work; and on that communication, which was read by the Clerk, the rules were suspended and it was passed unanimously by this Council. On what theory, on what ground, did I proceed? I proceeded on the ground that it was a matter of necessity and ought to be attended to at once. I would like to have some one point out the difference between the two propositions on principle. One was a transfer of $4,000 to the Park Department to build a sea wall on a playground, and the second one, which is before us now, is a contemplated transfer of $25,000 to be appropriated for fifty more firemen. Coun. Smith said that I was at a conference when the Mayor said something in regard to the Fire Department. That is true. I have heard the Mayor state many things on which I did not agree with him, and on that particular occasion the thing which was up for our consideration was an increase of one hundred men in the Fire Department,—and to be more accurate, we did a lot of business that day, and in that conference we discussed about one hundred different subjects. Transfer order after transfer order was sent to us and we went down to talk over those propositions, and the firemen's matter was purely incidental to our call, and not primary. I disagreed with him then, but I disagree with him more strongly now, because while I have been in this office for the last two or three weeks I have given some study to this question which pertains to the lives and property of our citizens. Now what, you may ask, is the evidence on which I have to go forward in my case? The evidence which the Assistant City Clerk read is very clear. But I wish to point out a few extracts from that letter,—and by the way, the letter is a copy of the letter on file in the Mayor's office since April, 1911, —a few extracts from that letter which may be rather pertinent to the discussion before us. The Fire Commissioner writes:

"I have the honor to request that the City Council appropriate $75,000 to cover the salaries and expenses of additional firemen. The great necessity of these men is fully explained in the accompanying letter:

"'I desire to call your attention to the fact that the appropriation of this department, as passed by the City Council, has been reduced $68,966.45. This reduction makes it absolutely impossible for the department to enter upon any material expenditure without an additional appropriation.

"'Without an increase in the fire-fighting force proper fire protection for the city during the summer is very problematic. I request that this matter be brought to the attention of the City Council at once.'"

I wish to say, at the time the Mayor spoke about the Fire Department I had no knowledge— and I don't know whether the gentleman on my right had or not—of the existence of this very important letter. It brings us down to date. And what do we find the conditions to be, accurately? We find that seventy men are absent on their vacations, seventy men less than what we had way back here in April. Then, again, we had, as submitted by one of the previous speakers, a concrete illustration in a fire in Dorchester district. I wish to say that the Fire Department, in my opinion, is as efficient as it can be under the circumstances, but it is undermanned, and for concrete illustration take the case of the Dorchester fire, when, according to the report of the Fire Commissioner to me, that apparatus was about 25 per cent undermanned. Now, Mr. President, I have shown you a precedent on which we have acted, that of the $4,000 appropriation affecting the sea wall in Charlestown. I ask whether or not anyone disagrees with me, and if I have not stated the exact facts concerning that proposition. But it may be suggested that this order may have been impelled by some reasons other than that pertaining to the public safety. I submit, sir, nothing could be farther from the truth. I have gone into this matter carefully, deliberately, and with a consciousness that for the time being at least I am serving as a temporary chief executive of 700,000 people, and as such there is absolute evidence, an absolute preponderance of evidence, to the effect that the Fire Department is grossly undermanned. There are seventy men out on vacations at present, and here you have the commissioner's letter to the Mayor in April of last year, when he says: "If this thing continues the conditions in the summer time will be very problematic." I have done what I considered my duty and I owe an apology or an excuse to no man. I have done what I believed was right by myself and the community. I believed this was necessary. And I might submit in closing that the question whether or not it admits of delay or does not admit of delay is a question of fact, and as a question of fact the members of this Council are the judges. It is not purely a legal question; it is a question as to whether or not the circumstances warrant going forward. I believe that when the property and lives of our citizens are at stake it is an urgent matter; it is a matter that does not permit of delay; consequently I have offered this order and I sincerely trust—acting as I do for the betterment of the City of Boston, in my opinion—that this order will prevail. The sentiment of the community is back of me and I believe I have done what was right by my conscience, and I will be content, no matter what result the City Council may come to.

Coun. SMITH—Mr. Chairman, I think the Council owes the Acting Mayor thanks for stating his position in this matter. I think he has made it very clear to us just what authority he is acting under or what authority he thinks he is acting under. But the exact question before this body is whether the transfer of the appropriation asked for should be referred to the Executive Committee, and the purpose of referring it to the Executive Committee is to gain information from the Corporation Counsel as to whether this matter is legal or not, and my request of the Acting Mayor was whether he had any evidence on this point,— whether the Corporation Counsel had given to him any opinion as to whether the matter came within his powers as Acting Mayor?

Coun. COLLINS—Mr. President, as I have stated, and tried to state as clearly as I could, there are two contentions here. Take the second one, that I can do things not admitting of delay. The contention is that that is a question of fact on which we must pass as jurymen.

Coun. SMITH—Mr. Chairman, I still think that in spite of the explanation given by the Acting Mayor a majority of the Council feel that they would like to get the opinion of the Corporation Counsel. I think this is only a matter of courtesy to the Mayor who is in Europe and a matter of courtesy to the Corporation Counsel. I think it is only a matter of courtesy to the majority of the Council present who desire the opinion of Mr. Babson.

Coun. COLLINS—Mr. President, may I submit the only reason why I took the floor was due to my good friend on the right, who asked me whether or not I had any reasons, and if I did have any, to come to the open Council and explain them and perhaps we might have the matter threshed out here. Otherwise I can assure him, through you, Mr. President, that I never would have taken the floor.

Coun. SMITH—In the course of the President's remarks he has cited as a precedent for his action the matter of a $4,000 transfer for the sea wall in Charlestown, and I might recall to him the fact that that action was before the Committee on Appropriations before the Mayor left for Europe, and that the same Committee on Appropriations went to the Mayor's office in a body, and that the Committee on Appropriations is a committee of the whole,—and that while with the Mayor he expressed his approval of the transfer of that $4,000, expressed it without any possibility of a doubt,—but that when the transfers were sent in in a lump, the transfers asked for by the Park Department, the one with regard to the sea wall in Charlestown was omitted,—and my personal vote, regardless of the reasons others may have had in voting on the question, my personal vote on that $4,000 was based on the fact that I knew the Mayor had agreed to it and it was simply an oversight that it had not been contained in the appropriations asked for.

Coun. COLLINS—May I ask whether or not the order which came to this Council and which was acted on by this Council was not an order emanating from me as Acting Mayor for

$4,000, and that the Council suspended the rules and passed it unanimously? Let the gentleman answer that question yes or no.

Coun. SMITH—Yes. But I have tried to explain my reasons for voting in the affirmative on that question. My reason was that it emanated not in reality from the Acting Mayor, hut in reality from the Mayor who was in Europe, and because of that fact and because of the fact that it had been discussed by the Committee on Appropriations and had been discussed on a tour we made, for that reason I voted, and not, as the President would have us helieve, as a precedent on other matters. Now with regard to his silence when the increase in the Fire Department was asked for by the Executive Committee before the Mayor left for Europe, he has explained that he did not realize the importance of that increase and that the increase asked for was one hundred instead of fifty. And yet it seems to me that does not free him from the hurden of not having expressed any opinion at that conference, in view of the fact that that was the main reason why we went there and was the first matter brought up, brought up concretely by the chairman of the Executive Committee. It seems to me his ignorance, as he has stated, at that time that the Fire Department needed fifty more men is a rather poor excuse for hringing it up at the present time. Also, in answer to Coun. Curley, who said he went down simply to get the Mayor's opinion, I would like to quote Coun. Curley's own words in the Council meeting of that same day, when he said: "I have no ohjection, since the councilor is agreeable to his Honor appearing hefore the committee, to have this order presented to the Executive Committee. I believe if the Mayor does come to that committee and the facts can he pointed out to him, that he has the interests of the city sufficiently at heart to warrant his making a suitable recommendation, which I trust he will make." In other words, Coun. Curley, no matter what his idea is to-day, on that day his idea was to go before the Mayor and urge strongly with him, stating the facts, an increase in the Fire Department. And why he did not utter one word on the subject of increase when we came hefore the Mayor he has not yet explained. I stand here to-day favoring an increase in the Fire Department; I think it is vitally necessary to this city to increase the fire-fighting force, and any vote I make on the question I don't wish to have construed to the opposite effect. Yet I tell you frankly I was the only man at that conference with the Mayor in favor of increasing the fire-fighting force. Coun. Curley introduced the resolution and said not one word in its support, and other councilors sitting around here who seemed in such fevered heat to get an increase said not one word in support of that resolution. It seems to me some of us have been asleep, and I leave it for the public to judge who have been asleep and to judge why this matter is brought up in the absence of the Mayor, and why also, they are trying to push it through without any opinion hy the Corporation Counsel. It is simple courtesy to have the opinion of the Corporation Counsel and to allow the memhers of this Council to hear what the Corporation Counsel thinks,—and I think the public will judge it as a political move, if this matter is pressed in the unseemly way in which it is now heing pressed in the absence of the Mayor.

Coun. HALE—I listened with a great deal of interest to the Acting Mayor's elahorate and careful opinion as to his powers while holding such office. I want to ask him, if he is willing to answer them, two questions. In the first place, did he know that he could have passed this appropriation without coming to the City Council,—second, if so, why didn't he do it?

Coun. COLLINS—If I understand the gentleman's question right, I sent this communication to the City Council for the simple reason that it is in accordance with time-honored prccedent for the chief executive of the city, whether he is the temporary presiding officer of the city or the Mayor, to send these communications, and I respectfully ask, through you, Mr. Chairman, Coun. Hale to look at the minutes of the City Council for the many years past and see whether or not I am not proceeding in accordance with the accustomed law and order pertaining to such things.

Coun. CURLEY—Mr. Chairman, it is unfortunate that Coun. Smith on the other side of the Chamher can't quite comprehend the question that is under discussion. It is unfortunate for many reasons. It is particularly unfortunate because we are compelled to sit here and listen to the councilor glorifying himself. I feel that the most unfortunate condition in connection with this particular case is that the Council has not the power to strike off medals, because according to his own statement he certainly deserves one. I don't know whether it should be of metal or of leather, but he certainly has stated at least half a dozen times that he was the only one who had the courage to stand up for what he believed was right. Now, it is not a question of whether he had courage or whether we discussed it with the Mayor. The question, Coun. Smith, before the Council at the present time is the necessity of acting on the recommendation of the Mayor, the necessity of providing adequate fire protection. It is not a question of your courage that is a consideration here. Nobody has questioned your courage. We all recognize that you are a valorous hero and are possessed of great courage. But, Mr. Chairman, that is heside the point. The question under consideration is whether or no the people of Boston are to receive adequate fire protection. Every newspaper in Boston has advocated this proposition as advocated first hy the Boston *Journal*,——

Coun. SMITH—Mr. Chairman——

Coun. McDONALD—Will the gentleman yield?

Coun. CURLEY—I would he pleased to yield if he had yielded to me. Since he has not I do not care to. It was advocated first hy the Boston *Journal*, later by the *Post*, and then hy all the Boston papers, and also by those who have the hest interests of the Dorchester district at heart. And it would be advocated just as strenuously by the people of the Back Bay if the same conditions obtained in the Back Bay as obtained at the fire in Dorchester, and just as strenuously by the people of South Boston if the same unfortunate conditions ohtained there. But, Mr. Chairman, it is not a question of the needs of one particular locality or section of this city that we have before us. The question under consideration is the need of providing adequate fire protection for all the people of Boston. Now, then, Mr. Chairman, where is the necessity for referring this matter to the Executive Committee? I sincerely trust that reconsideration will prevail and that when reconsideration has prevailed the rules will he suspended, and the order will be placed upon its passage, so that the people of Boston who pay the taxes and who are entitled to adequate protection will receive that protection. Why, Mr. Chairman, you take a large concern in other cities — in many cases they maintain private fire departments of their own on their grounds, such as the General Electrie Works in Syracuse. They maintain an elahorate fire department on their own grounds, manned hy their own men, in addition to the protection furnished hy the city. And what is true in their case is true of many sections. There is no reason, Mr. Chairman, why we should not provide proper proteetion here. The people pay the taxes; they pay for fire protection; they pay for police protection; they pay for water; they pay for sewerage; they pay for schools, and they pay for all the other countless necessities that are supplied by the city; and they are entitled to adequate protection. It is not a question as to whether the Corporation Counsel will rule favorahly or adversely. It is a question of meeting the needs of the situation. We all recognize that it is an emergency case, and I believe we are all, privately at least, agreed that the Acting Mayor is acting fully within his rights—that he is meeting an emergency in the only way in which it should be met. As regards his Honor the Mayor, he is abroad. I want to say, Mr. Chairman, that I honestly believe if he had been present when that situation occurred in Dorchester that on the following day he would have recommended an increase of one hundred or fifty men, and he might have gone even a bit further. But, Mr. Chairman, we must meet this situation that confronts us, and I sincerely trust that the rules will he suspended and the order placed upon its passage.

Coun. BUCKLEY—Mr. President, this is not a question of postponing until another day the transfer from the Reserve Fund. It is simply a question of hearing this matter in the Executive Committee as the City Council has heen in the habit of doing ever since I have been a memher of that Council. And I don't think we ought to depart from the usual custom to-day. I think we ought to go into Executive Committee and thresh it out and get the Corporation Counsel's opinion as to whether or not the matter will be legal. I

am in favor of this appropriation, but I want to do it as the City Council has been doing it in the past, and I am ready to vote for it to-day. But my friend Coun. Curley has stated in his argument that this condition has obtained in the City of Boston for two years. And Coun. Curley has been a member of this Board for eight years, I believe, and he certainly must have been negligent if he didn't bring this matter up before. It seems to me that the matter should have been attended to before. And why this great haste at this time? As I said, I am ready to vote on the matter to-day. But the possibility of Boston being burned up within the next three or four weeks is so remote that we don't go into that consideration at all. They talk about the Fire Department being undermanned and short-handed. But if such a condition prevailed in the Fire Department it is very funny to me they could take a baseball team to New York to play baseball. That consideration didn't enter into it. They certainly must have taken a little time off in addition to their day off. And I understand there are men detailed to the repair shop of the Fire Department. That should also be taken into consideration, and if so those men should be taken into the regular Fire Department work and mechanics should be given an opportunity in the repair shop, plumbers and mechanics and carpenters who are over thirty years of age, which is the age limit,— give those men the opportunity to go into the repair shop, and pull back into the regular engine house those firemen who are detailed in the repair shops, men who were employed by the City of Boston for the purpose of protecting lives and property. There is more to this situation than appears on the surface, and all those things ought to be taken into consideration before we act upon it, and I hope the Council will refer this matter to the Executive Committee where it can be fully and freely discussed. I am willing to discuss it right here in the open Board, but I don't believe in trying to force it down this way. You would think from some of the speakers that it was our habit to thresh everything out in the open Board, but I have stood here, and so has Mr. Curley, pleading to be heard in the open Board, and we have had seven votes against us. We want this matter heard in the Executive Committee.

Coun. SMITH—I only want to set one matter right. Coun. Curley misunderstood my application for a medal. He got it a hero medal. As a matter of fact it was only a time prize. I am very glad to accept Coun. Curley's apology for his being a month or two behind. It of course will appear queer to the public why he was so remiss when the matter has been up so long, as he himself states it has been, and it will, of course, appear to them peculiar why he did not state the great need of haste when his resolution was discussed in the meeting with the Mayor. But nevertheless we are willing to waive those matters and we simply ask him in his mad strife to gain a month whether he will permit of an hour's delay and have Corporation Counsel Babson come before us and give us his opinion on the legality of this matter. That is the only question we are considering at the present time—can he spare one hour of his valuable time to gain what he says is very cheap, the legal opinion of Corporation Counsel Babson?

Coun. HALE—The Acting Mayor in answer to my questions said, as I hoped he would, that the reason for his sending this order to the Council was on account of his respect for time-honored custom. Now the Acting Mayor knows just as well as I do that the time-honored custom in this Board and the city government is not to suspend the rules on an important matter like this but to let it go before the Executive Committee and hear everybody that knows anything about the matter. And I would like to say we ought to observe the time-honored customs and let this go before the Executive Committee and not steam-roller it through the way the Acting Mayor and his associates are trying to do to-day.

Coun. COLLINS—The gentleman in referring to time-honored customs is referring to something different from what I spoke of a few moments ago. I dare say my dear friend across the way will realize it is a different proposition on which he is talking now. I simply submitted it was a matter that did not permit of delay to justify voting for reconsideration. In my opinion it is simply a question of fact. I don't want to heap discourtesy on Mr. Babson, but I don't want his opinion on a matter that I feel is purely a matter of fact. Accordingly if the majority of the Council want to discuss this in executive session it is perfectly satisfactory to me, but I want to tell the reason why after consideration of the facts I should vote for reconsideration.

Coun. HALE—Coun. Collins has said he is satisfied with his legal opinion. He has also said he is going to vote for reconsideration, as I understand it. Now I should think that Coun. Collins would be willing to let those of us who are not so enlightened as to the law and have not made such a careful study have the benefit of the Corporation Counsel's opinion. It seems to me if he votes for reconsideration it is a direct effort to prevent us from getting this further light.

Coun. COLLINS—I am always willing to do what a majority of the members of the Council see fit to do. A majority of the members here want this matter to go to the Executive Committee, and the councilor who has just spoken knows that full well. I simply state my position as to what I believe to be right and accurate, and as far as my vote personally is concerned, even if it is the only vote, I believe, in justice to myself, I ought to do just as I am doing.

Coun. McDONALD—The question comes on reconsideration of the vote whereby the Council refused to suspend the rules.

Upon a *vive voce* vote the motion was declared carried, whereupon Coun. CURLEY doubted the vote and asked that the roll be called. The roll was called, and the motion was lost, yeas 3, nays 4, viz.:

Yeas—Coun. Collins, Curley, McDonald—3.

Nays—Coun. Buckley, Hale, Kenny, Smith—4.

Reconsideration was refused and the order was referred to the Executive Committee.

FENDER GUARD. NORTHERN AVENUE BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, July 17, 1911.

To the City Council:

I beg to transmit herewith a letter from the Acting Secretary of War, and an instrument and plan attached thereto, granting the City of Boston permission to construct and maintain an extra fender guard on the Northern Avenue Bridge.

It is customary, I am informed, that these documents should be filed in the office of the City Clerk.

Respectfully,
WALTER L. COLLINS, Acting Mayor.

—

War Department,
Washington, July 13, 1911.

Sir,—Referring to your application of the 1st ultimo, I transmit herewith, for retention, an instrument granting the City of Boston permission to construct and maintain an extra fender guard on the Northern Avenue Bridge, across Fort Point channel, at Boston, Massachusetts, as shown on the plans attached to said instruments, subject to the conditions and provisions set forth therein.

Very respectfully,
ROBERT SHAW OLIVER,
Acting Secretary of War.

(Annexed were plans, etc., referred to.)

Placed on file.

COST OF LAND, L STREET BATH.

The following was received:

City of Boston,
Office of the Mayor, July 17, 1911.

To the City Council:

In compliance with the request contained in your order passed at the meeting of July 7, to the effect that the Bath Trustees be requested, through his Honor the Mayor, to submit to the City Council an estimate of the cost of an additional strip of beach at L street, 500 feet in length and of suitable depth, with cost of suitable shelters on same, I beg to transmit a communication from the secretary of the Bath Trustees furnishing the estimate required.

Respectfully,
WALTER L. COLLINS, Acting Mayor.

—

City of Boston,
Bath Department, July 17, 1911.

To the City Council:
City Hall, Boston, Mass.:

Gentlemen,—Pursuant to your request of July 7, 1911, relative to an estimate of the cost of an addi-

tional strip of beach on the Strandway at L street, 500 feet in length and a suitable depth, with cost of suitable shelters on same, I beg to report for the Bath Trustees that the matter has been investigated with the result that the cost of the proposed addition will approximate $50,000, the items to cost as follows:

Shelters and lockers	$25,000
Building up beach and sand filling	10,000
Fences	8,000
Contingent expenses	7,500

The strip of beach acquired could be had with the approval of the Park Department under whose jurisdiction the Strandway now is.

These figures have been secured as speedily as possible, with the view that the Council may be willing to take immediate action on the matter, and are as correct as could be ascertained.

Very truly yours,
HUGH C. MCGRATH,
Secretary Bath Trustees.

Referred to the Executive Committee.

NURSES FOR HEALTH DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, July 11, 1911.

To the City Council:

In reply to your request contained in an order passed at the meeting of June 26 to the effect "that his Honor the Mayor be requested to report to this body what use is being made of the appropriation for two additional nurses to be employed by the Health Department on Milk and Baby Hygiene Work," I transmit herewith a statement from the secretary of the Health Department and beg to inform your honorable body that my approval of the appointments mentioned therein was given on July 10, 1911.

Respectfully,
WALTER L. COLLINS, Acting Mayor.

Health Department,
Old Court House, Boston, July 10, 1911.

Hon. Walter L. Collins,
Acting Mayor of Boston:

Dear Sir,—I am directed by the Board of Health to inform the Acting Mayor that it has received a copy of the order of the City Council, bearing date of the 26th ult., and referred to the Mayor's office on the 5th inst., to be returned with report.

The Board begs to report that it has appointed, pending the approval of the Acting Mayor, the two nurses referred to in the order for service in the Division of Child Hygiene, their duties to commence on the 10th inst.

I have the honor to be,
Yours very truly,
F. H. SLACK, Secretary.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Gaetano la Marca, for compensation for damage at 90 Prince street, caused by a defect in the water pipes in front of said premises.

Mrs. H. C. Dove, for compensation for damage to clothing by employees of Public Grounds Department, while spraying tree on Walnut avenue.

Charles Goldberg, for compensation for damage at 25–27 Lauriat avenue, by defective sewers.

Mrs. Thomas F. Maloney, for compensation for damages caused by clogging of main sewer at 164 Cedar street.

Frank J. Kane, for compensation for injuries received while in discharge of his duties in the Sanitary Division.

Executive.

Petitions for sidewalks, viz.:

(Brick with Granite Edgestone.)

Joseph Hendry, 839 Parker street, Ward 19.

(Artificial Stone with Granite Edgestone.)

George F. Monahan, corner Friend and Traverse streets, Ward 6.

C. F. Hovey Company, 19–21 Chauncy street, Ward 7.

Estate of John J. Haynes, 37 Ferdinand street, Ward 10.

Harris Leshefsky, 65 Hemenway street, Ward 10.

Henry Green, 65–71 Astor street, Ward 10.

Henry Green, 590 Newbury street, Ward 11.

J. F. Crane, 971–973 Blue Hill avenue, Ward 21.

W. Prentiss Parker *et al.*, Blue Hill avenue, Ward 21.

Hosford & Williams, 125 Park street, and 2–4–6 Corey street, Ward 23.

Hyman Rambach, northeast corner Mt. Hope street and Hyde Park avenue, Ward 23.

Louis A. Ginsburg, 386 Ashmont street, Ward 24.

Max Goldman, 1953–1955 Dorchester avenue, and 3–5 Fuller street, Ward 24.

W. B. Rice, 114 King street, Ward 24.

William Brummett, Centre street, corner Dorchester avenue, Ward 24.

Petitions for licenses to sell, rent or lease firearms, viz.:

Sullivan Square Loan Office, 546 Main street, Ward 4.

Standard Loan Office, 64 Salem street, Ward 6.

Patrick J. O'Brien and John J. Byrne, to run power boats for the conveyance of passengers on that portion of Charles river between the town of Dedham and the city of Newton, bounded by the City of Boston.

Ordinances.

The Master Bakers Cooperative Association of Boston, that ashes be removed without charge.

COAL AND COKE LICENSE.

A copy of coal and coke license granted by the Secretary of the Commonwealth was received.

Placed on file.

KEEPING OF GASOLENE.

Notice was received from Alvan T. Fuller, Malvern street and Commonwealth avenue, Ward 25, that said building was used for the keeping of gasolene, and of intention to use such for the ensuing year.

Placed on file.

NOTICE OF HEARING.

Notice was received from the Railroad Commissioners of hearing on July 20, on petition of the Boston Elevated Railway Company, for approval of location of elevated structure on Cambridge Bridge.

Placed on file.

RAILROAD POLICE.

Notice was received from the Boston, Revere Beach & Lynn Railroad that D. Henry O'Hara is no longer in the employ of said railroad as a police officer.

Placed on file.

CHILDREN ON STREETS.

The following was received:

City of Boston,
Law Department, July 12, 1911.

To the Honorable the City Council,
City Hall, Boston:

Gentlemen,—I am requested in your name by the Assistant City Clerk for my opinion as to whether or not the proposed ordinance relative to children on streets could be enforced if adopted in its present form, and if not what are the difficulties in the way of its enforcement.

In reply I would state that the superintendent of police or a judge of one of our municipal courts could give an opinion as to the difficulties in the enforcement of the proposed ordinance which would be of some value. I have had no experience in criminal proceedings against minors for petty offences and do not know what evidence the courts would require, or what is usually done when minors below the age punishable by imprisonment are brought into court and fined for petty offences.

As I wrote to the Mayor under date of December 22, 1910, I think that the first section should be

amended by inserting anotber exception substantially as follows: "or unless said cbild is traveling in the most direct course between the place of his employment or an evening school at which he is an attendant, and his home."

Without this amendment some question could be raised as to the legality of this ordinance.

The practical difficulties in enforcing the ordinance are those whicb apply to all statutes and ordinances imposing fines upon minors under fourteen years of age. The question is if they do not pay the fine or their parents do not pay it for tbem, what shall be done with them. The same question arises when the child breaks tbe Sunday law or plays baseball in the street or is guilty of a large number of petty offences.

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

Referred to the Committee on Ordinances.

CONTINGENT EXPENSES.

A communication was received from the City Auditor, in accordance with chapter 486, section 25, of the Acts of 1909, presenting a statement of the amounts expended by the Mayor and the City Council for contingent expenses for tbe quarter ending July 1, 1911.

Placed on file.

CONSTABLE'S BOND.

The City Treasurer, after duly approving of the same, submitted the constable's bond of Paul R. Gast.

Approved by the Council.

MINORS' LICENSES.

President COLLINS submitted reports on petitions of five newsboys, two bootblacks and four venders for minors' licenses—recommending that licenses be granted.

The licenses were granted on the usual conditions.

RELEASE OF LAND.

The President called up unfinished business, No. 1, viz.:

1. Whereas, The Board of Aldermen, by an order approved by the Mayor March 26, 1872, took a strip of land 10 feet in width, "from Dudley street, at the corner of Brook avenue, eastwardly to tide water," for the purpose of laying a main drain or common sewer; and

Whereas, Tbe Commissioner of Public Works, now having charge of said land and easement, has notified the City Council that a portion of said land and easement is no longer required for public purposes; it is hereby

Ordered, That his Honor tbe Mayor be and he is hereby authorized, in the name and behalf of the city, and in accordance with the provisions of chapter 25, section 50, of the Revised Laws of Massachusetts, to declare the rights and easements so taken in that portion of said strip of land lying to tbe east of Norfolk avenue, as shown on a plan signed by W. H. Bradley, Superintendent of Sewers, dated February, 1872, and deposited in the office of the Public Works Department, Sewer and Water Division, Sewer Service, and the sewer built therein, to be abandoned, such declaration of abandonment to be made for a nominal consideration.

On June 26 tbe foregoing order was read once and passed, yeas 7, nays 0.

The order was given its final reading and passed, yeas 7, nays 0.

SOLDIERS' RELIEF.

Coun. HALE, for tbe Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of July.

Report accepted; order passed.

BINDING OF COMMITTEE RECORDS.

Coun. HALE offered an order—That the Clerk of Committees be directed to have properly transcribed and bound in convenient volumes the records of committees in his possession which have not yet been so transcribed; and that he be authorized to expend for the said purpose such sums from time to time as may be approved by the President of the City Council; the amounts so expended to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

COST OF CONSTRUCTION, ETC., OF BRIDGES.

Coun. KENNY offered an order—That the Corporation Counsel be and bereby is authorized in the name of the City of Boston to apply to the Supreme Judicial Court for the appointment of commissioners under chapter 581 of the Acts of 1911 to apportion among the cities and towns and street railways the cost of construction, reconstruction and repairs of Chelsea Bridge, Meridian Street Bridge and Chelsea Street Bridge.

In connection with tbe order the Clerk read the following communication:

City of Boston,
Law Department, July 11, 1911.

Committee on Finance of the City Council,
City Hall, Boston:

Gentlemen,—Mr. Dever says that it is the desire of the Committee on Finance that the Corporation Counsel advise the committee whether it is expedient at the present time to authorize the loan of $250,000 for the reconstruction and repair of Chelsea Bridge before taking any prior action under the statute and how the rights of the city may be reserved in the matter of contribution.

In reply I would state that as the United States government has ordered that the Chelsea Bridge should be taken down unless it was reconstructed with a draw of suitable width prior to November 1, it is necessary that the loan should be voted and the contracts let at once. In my opinion the committee should report and the Council should pass the loan order immediately.

The order of the City Council authorizing me to apply to the Supreme Judicial Court for the appointment of a commission to apportion the cost can be passed at any time. There is no haste as to the appointment of a commission because the commission cannot apportion the cost until the work is done and the cost ascertained.

I have sent to Mr. Dever an order authorizing me to apply to the Supreme Court for the appointment of a commission.

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

The PRESIDENT—The question comes on the passage of the order.

The motion was carried and the order was passed.

Coun. KENNY—In view of the passage of that order and of the explanation which has been made to tbe Council by the Corporation Counsel, and inasmuch as we have already considered the matter in the Committee on Finance, in order that we may give this matter a first reading this afternoon, I move that we recall from the Committee on Finance the order for a loan of $250,000 for a temporary bridge to replace a bridge north of tbe Mystic river.

The motion was carried and the order was recalled, viz.:

Ordered, That the sum of two hundred and fifty thousand dollars ($250,000) be appropriated, to be expended by the Commissioner of Public Works, for the construction of a temporary bridge across the north channel of the Mystic river between the cities of Boston and Chelsea, said bridge to be built in conjunction with the city of Chelsea, under the statutes governing said joint construction, and to serve in place of the present structure known as "Chelsea Bridge Nortb"; and that to meet said appropriation the City Treasurer be authorized, with the approval of the Mayor, to issue bonds or certificates of indebtedness of the city to said amount.

Coun. KENNY—Before voting on the order I wish to say that I think this is a matter where the City Council should receive the congratulations of everybody for the course which this matter has pursued. In view of the action taken by the Coun-

cil last year in deferring this matter we have to-day a law on the statute books which is going to compel the other municipalities to contribute for the construction of this bridge, which is to be a temporary bridge, and also the permanent bridge. And as I have said, I think it is a matter for congratulation, at least to the City Treasurer, that this has taken this course.

The PRESIDENT—The question comes on passing the order for a loan of $250,000 for a temporary bridge to replace the Chelsea Bridge North. The Clerk will call the roll.

The roll was called and the order was given its first reading and passed, yeas 7, nays 0.

SWIMMING POOL, PARKER HILL.

Coun. CURLEY presented a petition from the Parker Hill Improvement Association asking that the reservoir on Parker Hill be converted into a swimming pool.

In connection with the petition Coun. CURLEY offered an order—That the Park Commission and Bath Commission, sitting jointly, be requested to consider the advisability of establishing a swimming pool at Parker Hill and the cost of converting Parker Hill Reservoir to such use.

The order was passed.

DAY IN SEVEN, PENAL INSTITUTIONS EMPLOYEES.

Coun. CURLEY offered an order—That the Penal Institutions Commissioner be requested, through his Honor the Mayor, to grant all employees in the Institutions Department at Deer Island one day off in seven, as is now granted at the State Prison.

Coun. HALE—I think that ought to be referred to the Executive Committee. I would like to so move.

Coun. CURLEY—I have no objection to the order being so referred. I simply desire to state that a similar order was introduced about six weeks ago and was approved by the Board and that this order is identical with the one approved about six weeks ago. We have another mayor at the present time, and he may take a different view of it. That is why I introduce it now. I trust that the reference will not obtain.

The motion was carried, and the order was referred to the Executive Committee.

INVESTIGATION OF MILK PRICES, ETC.

Coun. CURLEY offered an order—That the District Attorney, through the City Council, be requested to investigate the increase in price of milk to consumers in Boston and vicinity with a view to determine if a combination exists among the milk contractors organized for the purpose of wringing unwarranted and extortionate prices from the consumers in violation of law.

The question came on the passage of the order.

Coun. CURLEY—Mr. Chairman, I would say in connection with this order that I am very strongly of the opinion that the increase in the price of milk to the general public in Boston and vicinity is entirely unwarranted; that while there was a scarcity of milk for the retail dealers during the heated spell, those engaged in the manufacture of ice cream had no difficulty whatsoever in obtaining all the milk that they desired to carry on their business. Now, then, Mr. Chairman, ice cream is a luxury, milk for infants and for general household usage is a necessity, and I believe, Mr. Chairman, that a combination does exist. I believe that the purpose of not furnishing the small dealers, the retail dealers, with the milk that was required by their customers, the general public, was part of a scheme adopted by the milk contractors for the purpose of convincing the public that there was a shortage of milk, and for the purpose of furnishing an excuse which might appear reasonable to the public for an unwarranted increase in the price of milk. I sincerely trust that the order will be approved and that the District Attorney's office will investigate, and if there is any combination of the milk contractors formed for the purpose of wringing unnecessary and unwarranted prices from the public, that those who are responsible will be prosecuted to the fullest extent of the law.

The order was passed.

DAY OFF FOR PICNICS.

Coun. BUCKLEY offered an order— That in accordance with the provisions of chapter 587 of the Acts of 1908, the officer or board in charge of each department be authorized to grant a holiday, without loss of pay, to the employees of such department or division thereof, on the day of the annual department or division picnic.

Passed.

DOUBLE TIME, BATH DEPARTMENT EMPLOYEES

Coun. McDONALD offered an order— That his Honor the Mayor be requested to instruct the Bath Trustees to allow all employees of the department working Sundays and holidays double time as part compensation for their services.

Referred to the Executive Committee on motion of Coun. HALE.

CLOSING OF STREETS.

Coun. McDONALD offered an order— That the Police Commissioner be authorized to close to travel by vehicles, except fire, police, hospital and mail wagons, Warren avenue, Berkeley, Appleton and Chandler streets, Columbus avenue, Park square, Boylston, Tremont, Bromfield, Washington, School, Beacon, Arlington streets and Columbus square on Thursday afternoon, August 10, 1911.

Coun. McDONALD—The Chair will say that that order comes within the limits of the new ordinance we just passed, in the event of its being signed, with the exception of one short block. It is a convention of Colored Elks coming here.

The order was passed, yeas 6.

SALE OF CHARLESTOWN ALMSHOUSE.

Coun. SMITH, for the Committee on Public Lands, submitted a report on the message of the Mayor, communication and order (referred June 26) for sale to the Boston Elevated Railway Company, for a sum not less than $72,000 the property in the Charlestown district known as the Charlestown Almshouse, with the land connected therewith, containing about 102,400 square feet—that the order ought to pass.

Report accepted and the question came on the passage of the order.

Coun. SMITH—This is a unanimous report by the committee who feel that the price offered by the Elevated Railway, $72,000, is a fair price. They feel this after consultation with the city real estate expert, Mr. Kiley, and after looking at the property. The property, contrary to our opinion before looking into the matter, has not any riparian rights and therefore is of no value as a dock or factory site.

The roll was called, and the order passed its first reading, yeas 6, nays 0.

TRANSFER TO DOMESTIC BUILDING, CONSUMPTIVES' HOSPITAL DEPARTMENT.

The PRESIDENT called up unfinished business, No. 5, viz.:

5. Ordered, That the City Auditor be and hereby is authorized to transfer the sum of $2,500 from the appropriation for Consumptives' Hospital Department, Completion of Second Ward, to the appropriation for Consumptives' Hospital Department, Domestic Building.

On June 26 the foregoing order was read once and passed, yeas 7, nays 0.

The order was given its final reading and passed, yeas 7, nays 0.

RELEASE OF CONDITIONS, BOYLSTON AND PROVIDENCE STREETS.

2. Ordered, That his Honor the Mayor be and hereby is authorized in the name and behalf of the city to execute an instrument satisfactory to the Law Department, whereby the city shall, so far as it may lawfully do so without affecting the legal or equitable rights of other persons, release the conditions, easements and restrictions now remaining

in force, excepting, however, rights in party walls, upon certain lots on Boylston and Providence streets, heretofore conveyed by the city by deeds recorded with Suffolk Deeds as follows:

Book 512, page 121; Book 512, page 122; Book 512, page 123; Book 512, page 124; Book 512, page 125; Book 512, page 126; Book 526, page 235; Book 520, page 108; Book 525, page 286; Book 530, page 161; Book 541, page 138; Book 547, page 218; Book 547, page 218; Book 549, page 170; Book 549, page 170; Book 555, page 234; Book 558, page 281; Book 558, page 284; Book 560, page 168; Book 569, page 91; Book 569, page 105; Book 578, page 16; Book 578, page 291; Book 579, page 73; Book 583, page 248; Book 584, page 209; Book 588, page 293, Book 590, page 272; Book 590, page 273; Book 591; page 68; Book 594, page 125; Book 596, page 132; Book 597, page 53; Book 601, page 164; Book 602, page 16; Book 604, page 150; Book 605, page 58; Book 607, page 45; Book 625, page 201; Book 647, page 36; Book 703, page 177; Book 703, page 178; Book 703, page 179; Book 703, page 180; Book 710, page 79; Book 762, page 67; Book 795, page 177; Book 1826, page 394.

On June 28 the foregoing order was read once and passed, yeas 6, nays 1.

The order was given its final reading and passed, yeas 6, nays 1, Coun. BUCKLEY voting nay.

SALE OF LAND, DORCHESTER.

The President called up unfinished business, No. 3, viz.:

3. Ordered, That under the provisions of chapter 122 of the Resolves of 1846 the Board of Street Commissioners be hereby authorized by the Mayor and City Council of the City of Boston, as successors of the selectmen and inhabitants of the town of Dorchester, to sell, on or before September 1, 1911, at public auction to the highest bidder, a lot of land at the northeast corner of Gibson street and Dorchester avenue, containing 5,631 square feet, more or less, and the adjoining lot containing 4,353 square feet, more or less, held in trust under the will of Christopher Gibson, the sale of this land to net the city not less than four thousand dollars ($4,000); and that all moneys received for said land be paid to the City Treasurer, to be held as part of the Gibson School Fund.

On June 28 the foregoing order was read once and passed, yeas 8, nays 0.

Coun. SMITH—I find that Mr. Kiley did not anticipate selling the block of Gibson land before the middle or last of September, and I ask whether the date can be changed, September 1 to October 1, without delaying the order.

Coun. McDONALD—I don't think the Council have any right to make any change at this time—simply leave it on the table.

Coun. SMITH—I think it would be better to have the order take its reading regularly than try to amend it. I wanted to know if it could be done.

Coun. CURLEY—It seems the order has been read once and takes its second reading to-day and then goes ahead on its way. I would suggest that if the councilor wants delay he may lay it on the table.

The question came on passing the order.

The roll was called, and the order was given its final reading and passed, yeas 7, nays 0.

RELEASE OF RESTRICTIONS, PETERBOROUGH STREET.

The President called up unfinished business, No. 4, viz.:

4. Ordered, That the Board of Park Commissioners, with the approval of the Mayor, and by an instrument satisfactory to the Law Department, may in the name and behalf of the city modify and amend the restrictions contained in a deed given to the city by the heirs of Albert W. Nickerson, dated June 19, 1899, and recorded with Suffolk Deeds, Lib. 2622, page 104, so far as they apply to a lot of land owned by said heirs, and bounded southeasterly by Peterborough street one hundred feet, southwesterly by other land of said heirs one hundred thirty feet, northwesterly by a passageway one hundred feet, and northeasterly by land of Clara G. Brooks one hundred thirty feet, by altering or amending paragraph 2 of said restrictions, so as to permit the erection or placing upon said land of apartment houses costing not less than four thousand dollars per story for every twenty-five feet or less of frontage, and at the same rate for any greater width.

On June 26 the foregoing order was read once and passed, yeas 8, nays 0.

The order was given its final reading and passed, yeas 7, nays 0.

TRACKS AT CHARLES RIVER BASIN.

Coun. SMITH offered the following:

Whereas, The Charles River Basin is one of the most valuable assets of the City of Boston, from the financial as well as the æsthetic point of view; and

Whereas, The City of Boston has expended large sums of money in beautifying this basin and in certain improvements, particularly in the erection of the West Boston Bridge, so called, between Boston and Cambridge; and

Whereas, It is now proposed to construct tracks on said bridge for the operation of elevated trains; and

Whereas, It will be a cause of immense damage to the Charles River Basin if the operation of these trains results in excessive noise;

Resolved, That the Boston City Council recommend to the Board of Railroad Commissioners that said Board require such a construction of tracks on said bridge as will diminish, as far as practicable, the noise attending the operation of these trains.

Referred to the Executive Committee.

NEW HEALTH BOAT.

Coun. KENNY—Mr. Chairman, I would like to move to recall from the Committee on Finance the order for the loan of $48,000 for a new steamer for the Health Department to take the place of the "Vigilant." In making that motion I would like to say this to the Council—that after that loan order was placed before the Council by the Mayor on June 13 he submitted a later communication requesting us to take this money out of the Reserve Fund, practically withdrawing his loan order and recommending that this money should come from the Reserve Fund. Now, Mr. President, twenty-five years ago the "Vigilant" was built out of taxes. It was not a loan, it was built out of taxes, and this is merely an effort to construct a new boat to take the place of the "Vigilant" out of the Reserve Fund,—namely, in the same way,—and therefore it seems to me that this is an opportunity for the Council to get the money from the Reserve Fund and save the loan account so much. The Mayor in his communication to the Council a year ago, about the end of July, took occasion to recommend certain appropriations for a hospital and for a ferry, and if the members of the Council will read his letters they will see that he said at that time that it was good business methods to pay for these things, so far as we could, out of taxes. We have been all over these questions before, and threshed them out to some extent for the last week. I hope this motion will prevail and that the Council will give us a chance to bring this order before us this afternoon.

Coun. SMITH—I think the fact brought out by Coun. Kenny is important—that the "Vigilant" was originally built from appropriations and not from loans. But it should be noted that at the time the "Vigilant" was built the city faced a debt limit which was being reduced by operation of law, and that they stared in the face the fact that the City of Boston would exceed the debt limit for the succeeding year,—and as a matter of fact for the succeeding year after the "Vigilant" was built the debt limit was exceeded $2,380,000, so that the city had no option but to build the "Vigilant" out of the appropriations and not out of loans.

The question came on the motion of Coun. Kenny. The motion being declared carried, Coun. CURLEY doubted the vote and the roll was called, four voting in the negative and three in the affirmative, viz.:

Yeas—Coun. Collins, Kenny, McDonald—3.

Nays—Coun. Buckley, Curley, Hale, Smith—4.

The motion to recall the order from the Committee on Finance was lost.

REPORT ASKED FOR.

Coun. SMITH—I would like to ask for a report from the committee appointed on Governor's Island. As I understand it, Rule 24 called for a report from a special committee within three weeks.

Coun. McDONALD—The committee will be ready to report after recess.

RECESS TAKEN.

The Council voted at 5.40 o'clock p. m., on motion of President COLLINS, to take a recess subject to the call of the President.

The members of the Council reassembled in the Council Chamber and were called to order by the President at nine o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. KENNY, for the Executive Committee, submitted the following:

(1) Reports on petitions (referred to-day) for licenses to sell, rent or lease firearms—that licenses be granted, viz.:

Sullivan Square Loan Office, 546 Main street, Ward 4.

Standard Loan Office, 64 Salem street, Ward 6.

Reports accepted; licenses granted on the usual conditions.

(2) Reports on petitions (severally referred today) for sidewalks—recommending the passage of orders that the Commissioner of Public Works make sidewalks along the following-named streets, in front of the hereinafter mentioned estates, said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built as specified, with granite edgestone, the owner to furnish said material, viz.:

Brick with Granite Edgestone.

Joseph Hendry, 839 Parker street, Ward 19.

Artificial Stone with Granite Edgestone.

George F. Monahan, corner Friend and Traverse streets, Ward 6.

C. F. Hovey Company, 19–21 Chauncy street, Ward 7.

Estate of John J. Haynes, 37 Ferdinand street, Ward 10.

Harris Leshefsky, 65 Hemenway street, Ward 10.

Henry Green, 65–71 Astor street, Ward 10.

Henry Green, 590 Newbury street, Ward 11.

J. F. Crane, 971–973 Blue Hill avenue, Ward 21.

W. Prentiss Parker *et al.*, Blue Hill avenue, Ward 21.

Hosford & Williams, 125 Park street and 2–4–6 Corey street, Ward 23.

Hyman Rambach, northeast corner Mt. Hope street and Hyde Park avenue, Ward 23.

Louis A. Ginsburg, 386 Ashmont street, Ward 24.

Max Goldman, 1953–1955 Dorchester avenue and 3–5 Fuller street, Ward 24.

W. B. Rice, 114 King street, Ward 24.

William Brummett, Centre street, corner Dorchester avenue, Ward 24.

Reports severally accepted; orders passed.

(3) Report on petition of Boston Elevated Railway Company (referred June 26) for elevated structure, platforms, station and approaches thereto at Washington and Dover streets—recommending the passage of the following:

Ordered, That the proposed location by the Boston Elevated Railway Company for an elevated structure, platforms, station and approaches thereto, at Washington and Dover streets, Boston, as shown on plan numbered 28,206, filed with the City Clerk, be and the same is hereby approved, so far as it is upon public ways or places.

The question came on passing the order, and upon a *viva voce* vote the order was declared passed.

Coun. SMITH—I ask for a reconsideration of the vote as I had the floor before the motion was put.

The question came on the motion for a reconsideration, and upon a *viva voce* vote, it was declared that reconsideration prevailed.

Coun. SMITH—I doubt the vote and ask for a verification by roll call.

President COLLINS—The Chair stated that reconsideration prevailed, just as the gentleman asked.

Coun. SMITH—I doubt the vote.

President COLLINS—As I understood the gentleman's motion it was to reconsider.

Coun. SMITH—It was. I had the floor before that motion was put.

A *viva voce* vote was again taken on the question of reconsideration and it was declared that reconsideration prevailed. Coun. SMITH doubted the vote and asked for a roll call, and upon the roll being called the motion for reconsideration was carried, yeas 5, nays 2, viz.:

Yeas—Coun. Buckley, Collins, Hale, Kenny, Smith—5.

Nays—Coun. Curley, McDonald—2.

Coun. SMITH—I only want to take a moment of the Council's time at this time. The location of this permanent station as asked for leaves only 3 feet of passageway on the sidewalk for the public. The rest is to be taken up by the exit of the elevated. Now all the four corners of Washington street are already taken, and if this goes through the four corners of Dover street will be taken. It seems to me in a construction of this size entailing the use of so much money the Elevated should look to the future and should allow the public more than 3 feet at that center of traffic to pass to and fro on the sidewalk. It is for this reason I am going to vote against the request. It seems to me unjust that the Elevated should grant the public only 3 feet of that sidewalk when the section is such a thoroughfare and is growing so rapidly. I think if we refuse this permit to the Elevated they would bring in some supplementary report showing how such an amount of room might be taken on the sidewalk—it might be through a building on the corner or through the present exit or exits directly back of the present ones—some way could be devised so that the public could be left more room at Dover street.

Coun. HALE—I agree with Coun. Smith on this proposition. I think it is very foolish to grant the demands of any of these big corporations where it is perfectly obvious that the interests of the community are being sacrificed. There is no getting around that in this case, because these staircases leave only 3 feet between the staircases and the buildings on Dover street on all four corners, and I think it is really an outrage when we are allowing a permanent structure like that to let one go up where the rights of the people are not protected. I think it is especially unfortunate in this case to have action taken when the member of the City Council who represents that district and was the man primarily instigating the delay is away. I think it would be grossly discourteous to Coun. Attridge to pass this at the present time. It would also be detrimental to the interests of the public at that point.

Coun. CURLEY—As I understand the proposition, Coun. Attridge voted in favor of the temporary location, and he would be in favor of the other—with relation to which proposition, Mr. Chairman, the representative of the engineering department that appeared before the committee stated that they proposed expending about $225,000 improving the L service on Dover street, so as to provide for the handling of eight or ten car trains. Their original intention was to establish an island there similar to that found at Thompson square and at Northampton and Washington streets. That was found impracticable, because of the width of both Dover street and Washington street at this point, and because, in addition to that, of the tracks crossing both Dover and Washington streets. Now, then, the proposition is to compel the company, in addition to expending $225,000 for improving the transit facilities at that point, to purchase the use of the four corners in a section of the city where property values represent many thousands of dollars. In my opinion, Mr. Chairman, to comply with the requirements demanded by Coun. Smith it would be necessary that the company pay in the neighborhood of a quarter of a million dollars for the purchase of those four corners and their use as he outlines. Now, congestion at this particular point is extremely noticeable to any person who has to travel from Dudley street to South Boston, leaving the train at Dover street. There have been at least two fatal accidents annually at this particular point for the last five years. The only way the situation can be remedied is by additional stairways. The traffic at Dover street is less than that on Washington street. It is not proposed to put additional stairs on Washington street, but it is so proposed on Dover street, and I feel, Mr. Chairman, in view of the necessity for improving our transit facilities and in view of the great expense that the company will be

compelled to undergo in making the changes at Dover street, involving, as their engineer thinks, in the neighborhood of two million and a quarter, that it is unfair to ask them to expend an additional quarter of a million in providing exits within buildings at the four corners.

Coun. SMITH—I don't wish to be misunderstood. I suggested no such thing as the councilor has put in my mouth. I did not suggest that they buy all four corners. I simply suggested that we refer this back to the Elevated, telling them that we did not think they had allowed room enough for the public, and that they should draw up some alternative plans. And I trust to the ingenuity of their engineers to get at some other method there. I am making no suggestions as to what the Elevated should do, or for the spending of money. I simply say we are not justified, as representatives of the citizens of Boston, in allowing a public service corporation to make a permanent improvement looking forward to the future, and allowing the public only 3 feet on that sidewalk. It seems to me that we are not justified in that.

Coun. KENNY—Mr. President, I have examined the premises at the corner of Dover and Washington streets, and I can't see any other way out of it. It seems to me if they are going to furnish additional facilities for coming down from that structure that they must necessarily be confined to placing their staircase on Dover street. They already have four on Washington street. It is, of course, a very important matter, and the voting of this privilege by this Council to the Elevated ought to be looked upon as a very serious matter, and the Council should not, of course, pass this vote until they are satisfied that it is necessary. I would myself be very glad if I saw some way out of this. Dover street, by the way, is about as wide as Washington street at that point,—that is, the sidewalks are. I have looked the ground over and cannot myself see how they can do other than they are asking to do. But in order that each member of the Council may have a chance to investigate for himself, and awaiting the return of the member who resides in that neighborhood, it may be advisable to let this lie on the table until the next meeting and until we have an opportunity to meet with the officials. Therefore I move, Mr. President, that this matter lie on the table.

The question came on the motion of Coun. Kenny that the order lie on the table. Upon a *viva voce* vote the motion was declared carried, whereupon Coun. McDONALD doubted the vote, and upon a rising vote, four voting in the affirmative and two in the negative, the motion was carried.

(4) Report on order (referred to-day) that one day in seven be granted to the Penal Institutions Department employees—recommending its passage in the following new draft:

Ordered, That the Penal Institutions Commissioner be authorized, through his Honor the Mayor, to grant all employees in the Institutions Department at Deer Island one day off in seven as is now granted at the State Prison.

The question came on passing the order.

Coun. SMITH—This order as reported is inconsistent with the order just passed by the Council. The two orders—one referring to the Bath Department and the other to the Penal Institutions Department—are exactly similar in import. They both seek interference with the employees of those two departments. We have asked the opinion of Corporation Counsel Babson on that point this afternoon and he has repeated his advice of last year to the effect that that was not proper under the charter,— that we were especially barred under the charter from interfering with the employment of labor by the departments in the city. And if one of these orders fails to pass the Council the other should naturally. Of course we have the right to pass these things as any body has the right to pass them, the Chamber of Commerce, the Central Labor Union, or any other organization, but the order is not binding and it is against the spirit of the charter. Therefore, I shall vote against it, and I think the Council should be consistent and either kill both or pass both.

The question came on passing the order, and upon a *viva voce* vote the order was declared passed. Coun. HALE doubted the vote and a rising vote was taken, and the order was passed, four voting in the affirmative and three in the negative.

(5) Report on petition of Patrick J. O'Brien and John J. Byrne (referred to-day) for license to run power boats for conveyance of passengers on that portion of the Charles river between the town of Dedham and the city of Newton, bounded by the City of Boston—recommending the passage of the following:

Ordered, That a license be hereby granted to Patrick J. O'Brien and John J. Byrne, owners, and Patrick J. O'Brien, master, to run the power boat "Santa Maria," length over all 30 feet, beam 8 feet, for the conveyance for hire of passengers on that portion of Charles river between the town of Dedham and the city of Newton, bounded by the City of Boston. The said license to be for the term of one year and upon condition that no more than thirty passengers shall be carried at any one time, and that at least thirty life preservers shall be carried on said boat when used for the conveyance of passengers.

Ordered, That a license be hereby granted to Patrick J. O'Brien and John J. Byrne, owners, and Patrick J. O'Brien, master, to run the power boat "Pinta," length over all 30 feet, beam 8 feet, for the conveyance for hire of passengers, on that portion of the Charles river between the town of Dedham and the city of Newton, bounded by the City of Boston. The said license to be for the term of one year and upon condition that no more than thirty passengers shall be carried at any one time, and that at least thirty life preservers shall be carried on said boat when used for the conveyance of passengers.

Report accepted; orders passed.

(6) Report on message of Mayor and communication from the Bath Department (referred to-day) concerning cost of additional land, lockers, etc., at L Street Bath, South Boston—recommending reference of same to the Committee on Finance.

Report accepted; said reference ordered.

(7) Report on preambles and resolves (referred to-day) concerning the running of elevated trains on the West Boston Bridge, so called—that the order ought to pass.

Report accepted; order passed.

(8) Report on order (referred to-day) that all employees of the Bath Department working Sundays and holidays receive double time—that the order ought not to pass.

Report accepted; said order rejected.

(9) Report on message of Mayor, communications from Fire Commissioner, and order (referred to-day) that the City Auditor be and hereby is authorized to transfer the sum of $25,000 from the appropriation for Reserve Fund to the appropriation for Fire Department, Current Expenses, to be expended by the Fire Commissioner for the purpose of increasing the force by fifty men—that the order ought to pass.

The report was accepted and the question came on the passage of the order.

Coun. CURLEY—Mr. Chairman, I want to say in connection with this order that while I agree that the Corporation Counsel's opinion appears at first reading to be somewhat conclusive, the fact still remains that the fire chiefs recommend the appointment of eighty-two additional men for the Fire Department,—that the Fire Commissioner in a report submitted to the Mayor based on the recommendation of the fire chiefs recommended the appointment of fifty additional men,—that the Finance Commission after investigation concurred in the recommendation of the Fire Commissioner,—that these recommendations based on investigation were by men competent and familiar with the fire service,—that they were proof to the members of the City Council and to the public generally of the needs of the Fire Department in the matter of additional men,—that the conflagration in Dorchester only tended to emphasize the necessity for those additional men,—and that if anything that conflagration at Dorchester, backed up by the report of the fire chiefs and of the Fire Commissioner and of the recommendation of the Finance Commission, constituted to my mind a complete and an entire case and warranted the Acting Mayor in the appointment of fifty additional men. Now, Mr. Chairman, there is evidently somebody at fault in the entire proposition. I understand that the Fire Commissioner has made a statement to certain members of the Council to-day that if the City Auditor informed him that he would not approve of the payment of salaries to those men in the event of their appointment, that he would not appoint them regardless of what action might be taken by the City Council. I hesitate about venturing an opinion as to the Fire Commissioner's knowledge of fire fighting, but I do feel that the Fire Commissioner either does not know his business or those men are necessary. I want to say that I shall vote in favor of the passage

of this order, believing that it is an emergency case, and that the services of the men are necessary for the protection of the public and of public property, and I trust the order will pass.

Coun. HALE—Mr. President, in this matter that is before us it seems to me two entirely different questions are involved; the first question is: Does the Fire Department need fifty more men? I think every member of the Council is agreed on that, that the Fire Department does need fifty more men. I don't think there is any dispute about that. I know I don't dispute it. The second question is: Shall we appropriate money for these fifty more men now or shall we wait three weeks and appropriate the money then or persuade the Mayor to send in an order appropriating the money at that time? On this question there seems to be a good deal of difference of opinion. I, for one, am against appropriating the money now, and for three reasons; in the first place, I consider that the appropriation of money now is illegal; in the second place, I consider that it is ineffectual because it will not accomplish its purpose; and in the third place, I consider that there is another method by which the time until the Mayor returns can be covered. I will explain these three reasons somewhat in detail. In the first place, I think——

President COLLINS—The Chair respectfully suggests that the gentleman confine himself to the order. If he has another order to offer subsequently, the discussion of that will come later.

Coun. HALE—I shall do that unquestionably. In the first place, I think it is illegal. I shall not go into the reasons for that; I shall rest squarely upon the opinion given by Corporation Counsel Babson. I understand that the Acting Mayor before he sent in this had not consulted the Corporation Counsel. The Corporation Counsel has submitted an elaborate and, in my opinion, a very able opinion on this subject, and I think that he has completely convinced me that the Acting Mayor has no authority to send in this order and that the order is therefore illegal. The second point is that the order would not accomplish its purpose. We have had a great deal of talk about how the public needs this protection, and the people on the other side have assumed that by voting for this we will accomplish this purpose. Now, we have had undisputed testimony that if we pass this order the purpose will not be accomplished. The Corporation Counsel has ruled that it is illegal. The City Auditor has stated, through Mr. Leahy, the secretary of the Mayor, that he will not approve of the salaries. The Fire Commissioner has stated that if the Corporation Counsel rules against this order and if the City Auditor, relying on the Corporation Counsel's opinion, refuses to authorize the salaries or pay the salaries, that he, the Fire Commissioner, will refuse to appoint the men. Therefore, as I said before, even if we pass this order there will be no increase in the Fire Department, and no better protection to the property of the citizens of Boston. In the third place, as I said, there is another way of protecting the people of Boston during the next month which will be covered by an order which I shall submit in case this order is not victorious.

Coun. SMITH—Mr. President, I think the Council owe Corporation Counsel Babson a vote of thanks for the able opinion he has rendered on this subject, especially in view of the fact that he was not asked by the Acting Mayor to give an opinion, and it was not until late in the afternoon that the Council called upon him for an opinion. I entirely agree with the Corporation Counsel. I was of that opinion before he rendered his report and I am more than ever of that opinion now. It seems to me that he has added many new reasons for holding that opinion. I think that the paragraph that the Acting Mayor read this afternoon in regard to the powers of the Mayor would be construed by any fair-minded citizen to mean simply that the Acting Mayor had the powers of the Mayor for appointments only in cases of great public necessity. I agree with the Corporation Counsel in that interpretation of the wording. It then comes down to a question of whether there is a great public necessity at the present time for an increase in the Fire Department. In other words, what public necessity has arisen to justify the Acting Mayor in this transfer since his Honor left town? Any reasons given for that act antedating the Mayor's leave are not in point. Necessity for these firemen has existed for several years. It was shown clearly in the fire which happened last August in the wool district, which pointed out a greater public necessity for additional firemen than did the fire in Dorchester the other day. And yet the Mayor, in spite of that fire last August, did not treat the matter as of sufficient importance to warrant a request for more firemen. Since then the Fire Commissioner has repeatedly asked for them and the Mayor has referred the matter to the Finance Commission, and they have reported on it, and yet the Mayor has not seen fit to ask us for more firemen. Consequently the burden of the shorthandedness of the Fire Department—and I think the Council agrees it is shorthanded—the burden for that condition rests upon the Mayor. It cannot be said in any sense to rest upon the Acting Mayor. And no great public calamity has arisen that would point out the necessity to any greater extent than before Mayor Fitzgerald left town. It is, therefore, hard for me to see how the Acting Mayor justifies sending down this order at the present time. And it is only by justifying it on the basis of a public calamity that we can be expected to vote for it. Now I stand here, as I have stood for several months, willing to vote for fifty additional firemen. I was ready to act, when the other members of the Council apparently were not ready to act, on an increased fire force. And I tell you to-day that I will act on this matter as soon as the Mayor puts it up to us. But I will not support an illegal act of the Acting Mayor in lieu of a legal act of the real Mayor. If his Honor feels there is any added necessity for firemen, when he returns to Boston, I will be the first man to support any request of his for additional firemen. Now, what are the actual facts? If this order is passed and these firemen are authorized they will not be appointed for a week or ten days. They will need one month's training, under the rules of the department, and the consequence will be that no firemen will be added to the department until after Mayor Fitzgerald returns to town. It therefore seems to me we are acting for reasons other than a great public necessity. I hesitate to go into these reasons, which seem to me to be really reasons other than that of public necessity. I think it is fair to say that they are political. The gentlemen who are supporting this motion, who wish to force through this addition to the Fire Department in the absence of the Mayor, upon whose shoulders rests the responsibility for the shorthandedness of the department, must either show public necessity, which they have failed to do up to date, or else they must bear the odium of knowing that this is a political act brought about at this time for political reasons.

Coun. KENNY—Mr. President, when the Mayor left Boston on the 26th of June he did not go to Philadelphia; he did not go to Chicago; he went to Europe; and he placed himself beyond the pale of the performance of his duties in the city by going to Europe. Suppose the Mayor were to remain in Europe for a year or eight months or for six months. Suppose while the Mayor was in Europe he was taken ill. Would anybody contend that the Acting Mayor would not have the right to send an order to this Board such as he has sent within the last few days on which we are now acting? Now, Mr. President, the Mayor of Boston has incapacitated himself from performing his duties. When he left the City of Boston he left the City of Boston under a certain status. He left a Fire Department here. He left a Fire Commissioner. He left a City Council and an Acting Mayor. My contention is that the status of things has changed from the time the Mayor left the city up to the time of the conflagration in Dorchester. I would admit that before that Mr. Babson was correct in his statement of the law, but much as I respect Mr. Babson's opinion,—and I have a very high regard for him both as a lawyer and a man,—much as I respect his opinion, I contend that a new condition of things arose in Dorchester and that if the Mayor himself had been in the city the day following the Dorchester conflagration he would have done probably just what the Acting Mayor has done. He would have seen the necessity that was then manifest of the increasing of the Fire Department. Now this is no reflection on the Mayor. The Acting Mayor is just as conscientious, I believe, in the performance of his duties as the Mayor was when he was here, to say the least. I believe that when the Acting Mayor determined that an emergency had arisen, that he had an exigency to meet here in Boston, he was just as conscientious in trying to meet that as the Mayor of Boston would have been had he been here. And he is the Mayor of Boston under the circumstances. His title is Acting Mayor, but the real Mayor has placed himself beyond the pale of this city where he cannot act. Last summer

the mayor of New York started to go to Europe. And what happened? He was shot on the steamer in New York Harhor. He was taken to the hospital and was there for several months. New York had an acting mayor. Did anybody question during that time the right of the acting mayor of New York to perform the duties of mayor? I claim that the Mayor of Boston, by reason of his absence in Europe, has incapacitated himself from performing his duty, and that under the law it becomes the duty of the Acting Mayor, under the discretion which the law gives him, acting with reasonable discretion, having the advice of the Fire Commissioner,—as I understand he has had that advice since the conflagration in Dorchester,—to act in accordance with puhlic necessity. And I claim that there is now manifest necessity for increasing the Fire Department. I say he is strictly within his rights in sending to this Board the order which he has sent. We all realize, I think, so far as the statements made here go to show the state of mind of the various members, that there should be an increase in the numher of the members of the Fire Department. The Finance Commission took this matter up very thoroughly and investigated it and made a report that there should be at least fifty new men added, and I helieve the Mayor himself if here to-day would advocate the increase of the numhers which we hy this order have the power to provide for. Now I think it is very ungenerous for my friend on my left to make the suggestions which have heen made here this evening, questioning the intention and the good intentions of the Acting Mayor in sending in this order. I, for one, firmly helieve that the Acting Mayor is acting conscientiously, fearlessly, and he is entitled to the greatest credit for what he has done. He has had the courage of his convictions. He believes a new condition has arisen here and that it must be met, and if he will not do it, who will do it? Suppose there had been two or three fires since the Dorchester fire and it was manifest after each one that the department was undermanned? Would anyone say then that the Acting Mayor, exercising reasonable discretion, should not come in here and ask to have the force increased for the protection of lives and property? Now, Mr. President, we members of the Council have a duty to perform. Mr. Bahson has given us his opinion, it is true, but that is not altogether hinding on us. If we are in doubt about it I think we should accept Mr. Babson's opinion; hut if we are not in doubt ahout it, holding the opinion that I hold, that a new condition of things has arisen and that it becomes the duty of the Acting Mayor to meet the emergency, which he is now doing hy sending this order to the Board, I helieve the Board owes it to the City of Boston to pass this order and put it in force.

Coun. BUCKLEY—As I said in the Council this afternoon, Mr. President, I am ready to vote for this proposition to-day, and I also believe that Boston should have a larger Fire Department, but it seemed to me as a matter of courtesy that the Corporation Counsel of the City of Boston should he consulted as to the legality of the proceedings. While we have heard his very ahle opinion and while there is a doubt in my mind ahout section 47 of the city charter, referring to the President of the City Council as Acting Mayor, in case he was ahsent, and also the real Mayor if he was ahsent from the city, and as to what powers he had, I believe the Acting Mayor, if he is President of the City Council, has the powers of the Mayor under that section, because that has not heen cleared up to my mind satisfactorily. Therefore I believe we ought to pass the order this afternoon. There is no doubt in my mind hut that we need a larger Fire Department. And even although the Corporation Counsel says it is illegal and the City Auditor says he won't audit the hills, if they don't do that in case of a conflagration the responsibility is theirs, not ours. After we pass the order we have done all that we possibly can do in order to increase the Fire Department of the City of Boston. As I said in the session this afternoon, having the matter referred to the Executive Committee, I am perfectly willing to vote for the order to-night. I would have heen this afternoon if it had gone through the regular routine that all the orders of such a nature have gone through the past year. But I don't believe in suspending the rules in order to get things through, particularly when the rules have not heen suspended during the year and a half that I have heen a memher of the City Council. I believe in following the same policy that has been followed. I don't believe this order is sent in for political reasons or for political motives. I believe that the Acting Mayor really helieves, as a majority of us helieve, that the Fire Department ought to he increased; hut I think with my friend Coun. Curley that perhaps the Fire Commissioner of the City of Boston doesn't understand his duties; and if he did, with the Fire Department so short-handed as it was, I helieve that he would not have allowed the basehall team to go to New York. He may say they went there on their day off, hut they had to take more than one day to go to New York and return. And it would also he a good scheme to pull in those men who are in the repair department of the Fire Department, to make those men go into the Fire Department, and in that way enlarge the department and get the hest department in the country. Those things should be attended to. When a man has heen put to work in the Fire Department as a member of the department he ought to he working in some engine house and not working as a machinist or carpenter in the repair department. He should be compelled to live up to the rules. There should he no favors shown, hut they should he compelled to come out and work in the Fire Department houses, and with them working where they ought to be the Fire Department would he in much better condition.

Coun. KENNY—I want to add one more word to what I was saying. We must not lose sight of the fact that the Acting Mayor is not making these appointments. The appointments will be made under the law by the Fire Commissioner. We will be merely providing the ways and means for the commissioner to perform his duties as Fire Commissioner.

Coun. SMITH—Since the charter is plain to the average reader that the Acting Mayor does not have the power he is now using except in case of extreme puhlic necessity, it is necessary for the supporters of this measure to show that great public necessity, and this up to date they have absolutely failed to do. Coun. Kenny says that matters have changed since the Mayor left the city in regard to the Fire Department, but he has made no proof of that. He has brought forward no facts or figures. He has simply rested his vote on his hald assertion. It is necessary for them to show some great puhlic calamity, some great necessity for this order, and what have they shown?—the Dorchester fire. The letter which they refer to is of April 11 from Commissioner Daly and it was in the hands of the Mayor before he left the city and it caused him no feeling of dread about the fire protection of the city. He saw no reason to take action on it. He saw no reason to take action on the Fire Department of the city after the severe fire of last August, more severe than the one they are now hringing up. I hold that under the present charter it would he necessary to show a fire similar to the Chelsea fire, some great conflagration, to justify the Acting Mayor in this course. They have shown no public necessity. He could act in case of a great epidemic, or a great fire such as that of 1872, hut he cannot base his acts alone on the fire that occurred in Dorchester the other day. Twenty-three firemen responded. They helieve that thirty ought to have been there. But is that the hasis for using what the Corporation Counsel tells us is an illegal power? Now unless they do show some great puhlic necessity, I don't say that they are acting for political motives hut I say that they are throwing themselves open to the charge of voting for political purposes in supporting this order. Either they have got to show puhlic necessity or they have got to stand the odium of voting for political reasons.

Coun. McDONALD in the chair.

Coun. COLLINS—I did not purpose, Mr. President, to take the floor again to-night, were it not for an ill-advised and undoubtedly not well considered remark of the gentleman on my right when he said earlier in the night that political purposes prompted this order. I might say, through you to him, and say it advisedly and fearlessly, that what he says and what he intimates is ahsolutely without a scintilla of truth at its foundation. It is a conclusion which he has arrived at through a process singular to his own particular makeup. I introduced this order for one purpose in particular, namely, I believed it was my duty as Acting Mayor to do this because I thought that there was a constant menace to the community. And with reference to the last point which he has tried to make—he has wanted to know what that calamity

was. I am going to tell him in plain language that the undermanning of the Fire Department by at least 25 per cent is, in my opinion, a constant calamity to this community. He has said a few minutes ago that perhaps political purposes prompted this action. I want to ask him, through you, if every reputable newspaper in this city was prompted by political purposes when they advocated this—the Boston *Globe* of this morning, the Boston *Journal* every day for weeks past, the Boston *Traveler*—are they prompted by political purposes when they say there is an absolute and crying need for these men?

Coun. SMITH—I would be glad to answer that if you make it a question.

Coun. COLLINS—I wish to state that if the gentleman has any question to ask me in ordinary parliamentary procedure I would he glad to answer it.

Coun. SMITH—I have an answer to make to his question.

Coun. COLLINS—I ask the Chairman to rule on the point of order.

Coun. McDONALD—The Chair will state that Coun. Collins has the floor.

Coun. COLLINS—I say that the constant undermanning of the Boston Fire Department is a constant daily menace to this community, and I wish, through you, sir, to thank Coun. Kenny and the other councilors here—Coun. Curley and Buckley—for looking at my motives from their proper point of view, and in that I include yourself, Mr. Chairman. Those motives were prompted by a sense of high duty after careful consideration. I did not offer this order the next day after his Honor the Mayor sailed to Europe. I waited until I helieved that the sentiment of the entire community of Boston demanded it, and even then I was not in favor of doing it unless I helieved that that sentiment was right and until after thorough investigation and after finding out that the Boston Fire Department was undermanned. And I challenge contradiction of that statement. I believed it was my duty to preserve the lives and conserve the properties of our citizens, to send in this order. The gentleman speaks of Corporation Counsel Bahson—that I never asked his opinion. Mr. President, that is true, and I want to be equally frank with this Council as I have tried to he with myself and with the community hy stating that the reason why I did not ask the Corporation Counsel his opinion was that I helieved it would he biased. After listening to the gentleman to-day and asking him a great numher of questions I am convinced that his opinion was biased. We are all men, Mr. President. Corporation Counsel Bahson holds a high position through the kindly offices of the administration, and it is not unlikely that he would try to favor the administration in his rulings. I submit that it is simply a question of fact whether or not an emergency has occurred. I asked him to try to differentiate hetween the building of a $4,000 sea wall on the Mystic Playground in Charlestown and the sending in of this appropriation order, and the only answer I could get was that the firemen proposition cost a great deal more money and that if the firemen were once on the pay roll they never could be put off. The principle was exactly the same. In each case as Acting Mayor I sent in an order asking that the money he appropriated. In the first case the Council acted upon it favorably. No suggestion was ever made at the time that political motives were behind my action. Why at this particular time? Mr. President, in closing I only wish to emphasize what I said earlier in the afternoon, that what I have done I have done with a full helief that the interests of the community, the sentiment of the community and my own common sense all concurred in this conclusion, that there was a constant emergency, and I went forward.

Coun. SMITH—Using the closing words of the previous speaker—he says that the sentiment of the community and his own common sense lead him to believe that the Fire Department is constantly undermanned. I think at least five times in his short talk he used the words "constantly undermanned." And I suppose he didit advisedlly. That is exactly the position of the whole Council on that matter. The Fire Department has been constantly undermanned for at least two years. And I have asked the gentleman twice here already why he brings in this order. What great puhlic necessity justifies him that he should ask for this transfer in the absence of the Mayor? Why did he not ask it hefore the Mayor left? I stood here willing to vote for that transfer at any time the Mayor might have sent it in. I realized that the force was undermanned, and some of the councilors here seem to have heen asleep to that fact. The circumstance that we have now awakened to the situation does not justify them in doing what the Corporation Counsel tells us is illegal. They can very well wait for the return of the Mayor. The burden is upon his shoulders. It has not heen shifted. They have not shown a great puhlic calamity such as would warrant the use of this power. Again I ask Councilor Kenny or the President to answer the question,—state what great public calamity justifies him in taking this step. Until they leave the broad general grounds using the words "constantly undermanned" and "constant menace," until they come down to something that happened since the Mayor left town, they have not shown any justification for their present act.

Coun. COLLINS—Mr. President, in answer to the gentleman, I was trying to he as specific and short as possihle. I will take just about two minutes, Mr. President. What is the specific danger? The answer is found in the letter of the Fire Commissioner.

Coun. SMITH—Mr. President, I did not ask that question.

Coun. COLLINS—The statement found in the letter of the Fire Commissioner, on April 11, is—"Without an increase in the fire-fighting force proper fire protection for the city during the summer is very prohlematic. I request that this matter he brought to the attention of the City Council at once."

We are now in the midst of the summer. According to Corporation Counsel Babson, sixty-five men are on vacation. According to information which I ohtained to-day from the Fire Commissioner, seventy men are on vacation. I believe that is a specific answer to the specific question that he asked me. Now the councilor is very strong on drawing conclusions. He says this is an illegal act——

Coun. SMITH—Mr. President, I ask for a reading of the records.

Coun. COLLINS—The question whether this is an illegal act or not is a question for the Supreme Court of Massachusetts to pass upon and not for that gentleman. Nor is the Corporation Counsel infallible on that particular question. Accordingly I submit that the constant danger, and I say the constant danger particularly applying to the present time, the time we are acting on now, the summertime, is an emergency. The Fire Department is terrihly undermanned and we have specific illustration in the Dorchester fire, and I helieve that is an adequate answer to the question.

Coun. SMITH—I am sorry to disagree with the last speaker, because his answer seems to me entirely inadequate. The fire force is greater to-day than it was last year in numhers. The letter which he quotes from the commissioner is dated April 11, hefore the Mayor left town, and I asked him specifically for some reason why he thinks the responsihility for the undermanning of the Fire Department, which has existed for two years, and which he does not deny, has suddenly shifted to his shoulders and why in his opinion there is a great public necessity at this moment, greater than there has been for two years, to shift the responsibility from the real Mayor to his own shoulders. And I say that unless he shows that, he throws himself open to the very severe charge of using the measure to bring ahout political ends.

Coun. COLLINS—The gentleman says,—what is the particular danger at present—and he says that for two years or a year—I don't know—something of that kind—that the Fire Department has heen undermanned, or intimates that. I wish to say that two wrongs never made a right. I wish to say that I am the Acting Mayor of this city at the present time, and hold myself answerahle to the citizens of Boston for the proper conduct of fires at the present and for the next four weeks, at least, in the City of Boston. I helieve mine is the responsihility, and the reason why I am acting is because I don't believe that the matter admits of delay. I hope I have heen clear to the gentleman.

Coun. CURLEY—Mr. Chairman, I have no desire to end this discussion which I enjoy greatly, witnessing the performance of the reform members on the other side of the Chamber antagonizing one another. The fact remains, Mr. Chairman, that Coun. Smith feels that there have not heen sufficient facts presented to warrant his favoring

this order. Now, Mr. Chairman, it is only by the establishment of facts or by citing an illustration that we can bring the case more vividly home to Coun. Smith and perhaps induce him to vote in favor of the order. I want to point out to Coun. Smith that it was not the ability of the Fire Department to cope with the situation that made possible the suppression of the fire in the Dorchester district, but that it was the kindness of the Almighty—and that if the breeze had been blowing at fifty to sixty miles an hour on that day, entire Dorchester would have been wiped out and no power could have saved it. Now if that does not constitute an emergency, then I don't know what an emergency is. The Corporation Counsel's contention is that if there were some marked disease current in the community the Acting Mayor would then have the right to recommend a sufficient appropriation for the suppression of that disease. Well, the disease was present in the fire. The contagion was not there because of the absence of the wind. I feel it is drawing a pretty fine line. Knowing the Mayor of Boston, John F. Fitzgerald, as I do, and knowing how close he usually is to the common pulse, I am satisfied that if he had been at home in Boston after the Dorchester fire that he would readily recommend the appointment of fifty to one hundred additional men. Now as regards the matter of playing politics, personally I feel that playing politics, so far as the mayoralty is concerned, is a pretty long distant game, and that there won't be any occasion for playing practical politics for about two years and a half more,—and it is a question whether the Acting Mayor will have the inclination to court defeat two years and a half from now or take a chance of victory; but the fact remains that it is unfair to accuse him of playing politics because the natural course for a man to pursue who has a legal mind such as is possessed by the Acting Mayor, after the Corporation Counsel's opinion, would be to support the contention of the Corporation Counsel, if he were playing politics. But if he were really desirous of serving the best interests of the people of Boston, he would stick to his original position, and that is what he is doing. And I don't feel he is playing politics in doing it. I feel he is doing just what the Mayor would do if he were at home. He is doing just what will conserve the best interests of the people of Boston. Now the Corporation Counsel's opinion is based upon figures obtained by him. The figures obtained by him are no better than the figures in the possession of the members of the City Council; they are all derived from the same source. It is a question of his opinion as against the opinion of a majority of the members of the Council, as against the opinion of the united Press of Boston, and against the opinion of the public generally in Boston. And I contend, Mr. Chairman, that even though his opinion is adverse to the position that may be taken by a majority of the members of the City Council, that he is in no sense infallible and that the Supreme Court may overrule his contention in the event of a majority of the members of this Board voting in favor of this proposition. Now, then, the proposition resolves itself into the question of what constitutes an emergency. The fire chiefs made a recommendation, and they really have some knowledge of fighting fires. I personally believe that Mr. Daly's knowledge of fighting fires is confined to a perusal of "Little Gretchen, the Match Girl," or some similarly varied experience of that kind. I don't believe he knows anything about fighting fires. But I do believe the fire chiefs know something about fighting fires, and their opinion is that eighty-two additional men are required in the Fire Department. The opinion of the Finance Commission is that at least fifty men are required. And a recommendation of the Fire Commissioner favors the appointment of fifty additional men. Now, I believe that if the Mayor were at home he would insist on the appointment of fifty or a hundred men. I believe we have a duty to perform regardless of the opinion of the Corporation Counsel in this particular instance, and that is to carry out the will and the wish of the people of Boston,—the taxpayers who send us here,—not to bother over little quibbles over technicalities as to what constitutes an emergency and what doesn't.

Coun. SMITH—I wish to thank Coun. Curley for at last answering the question I have been asking—what great public necessity has arisen since the Mayor left town to justify this illegal act? He has said that it was rather a negative necessity; it was the fact that the wind did not blow fifty miles an hour at the Dorchester fire. If every time the wind does not blow fifty miles an hour the Acting Mayor of this city is to take upon himself some power which the charter gives to the real Mayor, I think we will have many of these scenes re-enacted here. He goes on to say that if the wind had blown fifty miles an hour no force could have stopped all Dorchester going up in smoke. In other words, he would favor a changing of the building laws as the great public necessity before the Council at present, and not an increase in the Fire Department. And I agree with him that no power could have stopped that if there had been a wind fifty miles an hour. But that has nothing to do with the increase of the Fire Department. It has more to do with changing the building laws, and unfortunately even the Acting Mayor cannot change the building laws. I believe the Legislature has turned down a recommendation of the Mayor to that effect this year. But that, gentlemen, is the only suggestion thus far in all the talk that has gone on this afternoon and evening as to the great public necessity that permits the Acting Mayor to do this unusual act—the fact that the wind did not blow fifty miles an hour.

Coun. CURLEY—I might call the gentleman's attention, if he will yield, to several others that were pointed out—one in particular—a recommendation of the fire chiefs who, as I say, understand their business. They recommend eighty-two additional men.

Coun. SMITH—I am sorry to correct the gentleman, but that recommendation was made April 11. I have asked for some great calamity happening since the Mayor left this town. That was made April 11 when the Mayor was here, and he takes full responsibility for going away and leaving that matter unattended to.

Coun. CURLEY—That is just one thing I have pointed out. Then there is the communication of April 11 by Mr. Daly in which he says that without an increase in the fire-fighting forces proper fire protection for the city during the summer is very problematical. That is an additional reason, if one is necessary. The report of the Finance Commission is a third reason, if one is necessary.

Coun. SMITH—May I suggest that the report of the Finance Commission was made even before April 11, some months ago, and that the Mayor takes the responsibility of not having acted on that. I am asking for a great public necessity which has arisen since the Mayor left town.

Coun. CURLEY—Now, Mr. Chairman, this report was made on April 11, that the fire-fighting force was not proper fire protection for the city during the summer, and since that report seventy men have gone on vacation. Well, now, if it was not proper fire protection for the city when there were seventy additional men surely you will not contend that the service was improved by the absence of seventy additional men. Now, then, Mr. Chairman, on this particular point, just a step further—an additional reason for the emergency that does exist is the fact that according to eye-witnesses there were not sufficient men at the fire in Dorchester to handle the apparatus properly. I have it on the word of a member of Ladder 4 that no stream was turned on by Engine 12 at the fire until such time as Ladder 4 arrived on the scene, perhaps fifteen minutes after the arrival of the engine company. Now, then, the safety of the public depends not only upon the efficiency of the department but it depends upon the speediness with which the department arrives at the scene of action. Now, Mr. Chairman, if the apparatus upon its arrival at the scene of action has not sufficient men to handle it, it might just as well stay in the engine house as go to the scene of the fire. The conflagration in Dorchester was not really a question of a fifty or sixty mile breeze. If the apparatus had arrived in season and been properly manned and equipped it could have met the situation and overcome it, but with the start that the fire received previous to the arrival and after the arrival of such apparatus as arrived on the scene early, if a fifty-mile breeze had been in progress it would have wiped out Dorchester. But if the apparatus had responded promptly and been properly manned when it arrived at the scene of action the fire could have been suppressed speedily. And after all that is the whole secret of fire fighting, to get on the scene quickly, to act quickly, to act judiciously and intelligently. And what they needed was additional men and additional apparatus. I believe sufficient reason has been advanced to warrant action in favoring this order.

Coun. HALE—It seems to me we have lost sight of the most important point in the whole discussion. What we want, as I said in the beginning, is to get fifty new firemen to protect the property and the lives of the citizens of Boston. There are two methods of attempting that. One is the method which the majority of this Council is trying to adopt and which, according to the undisputed facts, will not get us to tbe goal we desire. It may have the effect of shifting the responsibility from our shoulders to those of somebody else, but it will not result in getting fifty extra firemen and it will not result in any increase to the protection of the property and lives of the citizens of Boston. There is no blinking that. The road you are trying to go upon is blocked absolutely and finally, so what is the use of all this talk about trying to protect the citizens of Boston or the property of tbe citizens of Boston? The arguments must be either blind or insincere because those facts have not been disputed. We have been told definitely that the firemen will not be appointed even if we pass this order. There is another route to the same goal, namely, extra firemen during this summer, a matter upon whicb I can't speak now because it is out of order under this order, but which is covered by an order whicb I will introduce later.

Coun. SMITH—Coun. Hale has pointed out one reason for doubting the sincerity of the members in voting on this question. There is one other reason for doubting the sincerity of the members in voting on this question, the reason involved in a question I asked earlier in the day,—why the Council has not taken this strong, fervent, tremendously active stand before the Mayor left town. That has not been answered by any one of the councilors present, and it seems to me, in view of the fact that they have not shown any great public necessity tbat has arisen since the Mayor left town and have not shown why they were not active when the Mayor was in town, the public will undoubtedly draw the conclusion that there is politics in bringing this measure up at the present time.

Coun. KENNY—The member on my left here seems to have great apprehension about what the public will do. They will draw this conclusion or that conclusion. It seems to me he is very much more apprehensive of the public than the other members. He is cbarging other members with playing politics. Then he goes on and speaks about the apprehension he has of the public. He is striking pretty near home, Mr. President, when he talks about the public and what he thinks and what the public may think of him. I sbould commend him to some reflection along those lines. Stop thinking about the public and think about the business of tbis Board. Do your duty. Stand up like men and do it. Never mind the public. They will take care of themselves. Now, Mr. President, I am going to make a statement that I did not intend to make. A week ago last Sunday night I was coming through Brighton and turned into the Aberdeen district, and I saw a fire. The car I was riding in reached the fire quickly after the first engine and before the arrival of the second engine. Now I had it from authority tbat I can quote that it was seven minutes before the hose was turned on that fire—and right in our presence we saw a building burned down to the ground. I called that to the attention of the Fire Commissioner that very night. Now these gentlemen who are proclaiming what the public will think better consider what their duty in the matter is. I am tired, as one member of this Board, of listening to this haranguing about what the public may think. I think the Council has a duty to perform here. I have sufficient confidence in tbe Mayor to believe that if the Mayor were here be would do exactly what the Acting Mayor is doing to-night. He would call upon the Council to pass this order. We are not making these appointments. We are simply putting into the hands of the Fire Commissioner the power to make the appointments. It is for him to make the appointments and not for the Acting Mayor to make them.

Coun. SMITH—In answer to the last speaker I would say that as long as I am a member of this body I shall always be jealous of the honor of the City Council of Boston, and when I think that the City Council is doing a foolish act I shall unhesitatingly stand up here and say so. With the present advice of the Corporation Counsel and with the plain wording of the charter, and more than that, with the spirit of the charter which we know so well here, which is to centralize authority in the Mayor, I feel that I am justified in speaking of what the public will say of the action of this Council to-night. Furthermore I wish to thank Coun. Kenney for the additional evidence he has brought to bear on this question. He has cited one definite fact where he thinks the Fire Department since the Mayor left town has brought about a condition of affairs that is a grave public calamity and calls for unusual action on the part of the Acting Mayor. But he has failed to connect that up with the undermanning of the department. He said the stream was not turned on for seven minutes. Evidently tbe apparatus was there in time. Can he give us the facts? Would he be willing to give us the facts proving that the delay occurred becauso of lack of men at that special fire? That would be a point well taken. It would be the only point brought up here to-night which shows that a change has come about since the Mayor left town. And even then he would have to prove that that fire was different in particulars from fires which had existed in the last year or two—different, for example, from the fire in the wool district last year, which the underwriters said came within an ace of being a great fire similar to that of 1872, getting entirely beyond the control of the department. He will have to show that men were lacking at the Brighton fire and that they were lacking in greater numbers than before the Mayor left town.

Coun. KENNY—I would like also to say this, and I think I have already referred to tbe matter, that I have every respect for the integrity and the intelligence and the ability of the Corporation Counsel, but I don't understand the law to be that we must accept his decision. We must accept it so far as we can avail ourselves of it, so far as it helps us and assists us in coming to a decision, but we must ourselves vote and be responsible for our votes. Tbe Corporation Counsel is not responsible for them. He does not vote for me. I have got to bc responsible for my vote, and use such intelligence as I have in determining what line of action I shall pursue. Now, so far as his opinion is germane to the question, to that extent I have a right to use it and be guided by it if I desire, if it assists me. If I cannot reach his conclusion it is my duty to follow my own conscience and opinion, as I am doing in this matter, and I think I am discharging my obligations to tbe Council and citizens of Boston.

The question came on passing the order. On a *viva voce* vote the order was declared passed, whereupon Coun. HALE doubted the vote and asked for a verification by roll call. The roll was called, and the order was declared passed, yeas 5, nays 2, viz:

Yeas—Coun. Buckley, Collins, Curley, Kenny, McDonald—5.

Nays—Coun. Hale and Smith—2.

Coun. HALE—A point of order. I bclieve it requires six votes to transfer——

President COLLINS—The Chair rules that under the statutes of 1893 the City of Boston may, by concurrent vote of the City Council, at any time witbin two years, under chapter 261 of the Acts of 1893, after an appropriation has becn duly made by the city government, transfer such appropriation, and it requires a two-thirds vote of the City Council approved by the yea and nay vote of two-thirds of the members of each branch thereof. The Chair rules that this City Council is composed of one branch and that thc point of order is not well taken.

Coun. HALE—I protest at the ruling and ask to have my protest recorded.

ADDITIONAL FIREMEN.

The following was received:

City of Boston,
Law Department, July 17, 1911.

To the Honorable the City Council:

Gentlemen,—My attention has been called to the fact that the Acting Mayor has sent to your honorable body a communication recommending a transfer from the Reserve Fund to the Fire Department for the purpose of employing fifty additional firemen.

In my opinion such transfer and such employment would not be legal. The city charter says that: "No transfer of any part of the money thus appropriated shall be made except within the department or in accordance with and after the written recommendation of the mayor to the city council approved by the yea and nay vote of two-thirds of the members."

Section 12 of chapter 3 of the Revised Ordinances says in substance that every officer in charge of a department shall employ and fix the compensation of all suhordinates in his department and that hefore any increase shall he made in the compensation of any subordinate or in the numher of subordinates a report thereof shall he sent to the mayor and no such increase shall take effect until approved hy the mayor in a writing filed with the city auditor.

I do not understand that such report has heen made hy the Fire Commissioner but my ohjection is a deeper one, to wit,—that the matter is one which must receive the approval of the Mayor.

Before the charter amendments of 1909 the chairman of the board of aldermen or president of the common council acting as mayor had more authority than the acting mayor has under the present charter. The former provision was that the chairman of the hoard of aldermen shall act as mayor. This gave acting mayors in Boston more authority than was possessed hy acting mayors in any city in the state. (See Ryan *v.* Boston, 204 Mass. 457.)

As this power has heen abused hy acting mayors the city charter amendments of 1909 provided: "That the person upon whom such duties shall devolve shall he called acting mayor and he shall possess the powers of mayor only in matters not admitting of delay." To use the language of the Supreme Court, "He shall have the powers of the mayor only in matters requiring immediate action."

The action proposed does not contemplate the hiring of fifty men for a few week or a year, it contemplates the employment of fifty additional firemen who under the statutes must he retained unless discharges for cause and the proposed action necessitates an additional charge upon the City of Boston of at least $60,000 a year for an indefinite period.

If something had occurred since the departure of the Mayor for Europe which required the presence of additional men in the Fire Department that emergency could he met hy the Fire Commissioner by suspending the giving of vacations during the next three weeks which would add at once a force of sixty men. The only result of that action would he that firemen who otherwise would have their vacations in July or August would take them in September, hut there has heen no change in the conditions of the Fire Department during the absence of the Mayor, and, as I am informed, practically no change in the condition of the Fire Department during the past year. If the Fire Department is undermanned to-day it was undermanned a year ago.

By the reports there were seemingly 13 fire districts in 1910 and 47 fire engines; in 1911 there were 14 districts and 47 fire engines. April 30, 1910, there were 986 employees; April 30, 1911, 1,009 employees. A year ago there were 893 regular firemen, now there are 925, being an increase of 32 firemen in the year. I am informed that of these additional firemen 14 are employed on the new firehoat, 4 in the fire-alarm service, and 6 on the new chemical engine.

The appropriation for the Fire Department for the fiscal year ending February 1, 1911, was $1,550,000, for the year ending February 1, 1912, $1,600,000. It will he seen, therefore, that the Fire Department has more money and more firemen and as many or more men to a fire engine than it had a year ago. If the engines are undermanned to-day they have heen undermanned for some years hut no mayor has recommended an increase.

It appears probable that the growth of certain sections of the city call for additional fire protection. If so, there should he additional fire houses and additional apparatus as well as additional firemen. The whole subject is one that not only admits of delay hut requires it. The commissioner should make a report to the Mayor and City Council of the actual conditions in his department, what new engines or stations are required and where, so that the Mayor elected by the people and the City Council can know the exact conditions of the Fire Department and what, if anything, is needed in the way of additional appropriations.

Yours truly,

THOMAS M. BABSON,
Corporation Counsel.

Placed on file.

APPEAL FROM RULING.

President COLLINS—Motion, orders and resolutions. The Chair wishes to state that the reason for his ruling on the order passed 5 to 2 was due to his having learned of this for the first time to-night and looked up the law in the present city charter.

Coun. HALE—I move an appeal from the ruling of the Chair on that matter.

President COLLINS—The motion is not in order. Motions, orders and resolutions.

Coun. HALE—I appeal from that ruling.

President COLLINS—Motions, orders and resolutions. Coun. McDonald offers a committee report.

USE OF GOVERNOR'S ISLAND.

Coun. McDONALD offered the following:

The Special Committee on Use of Governor's Island, to which was referred, February 20 and June 13, communications from the Mayor and from the War Department relating to the use of Governor's Island, Boston Harbor, hy the City of Boston, having considered the subject, respectfully ask for further time so as to submit a plan for the use of said island by the city.

The committee is heartily in favor of the taking of this island for park and playground purposes, and with the cooperation of the Park Commissioners it helieves it will shortly be ahle to suhmit to the City Council, and to the War Department of the United States, a final report upon this suhject.

Report accepted, and further time granted.

SALE OF CITY LAND.

Coun. SMITH, for the Committee on Puhlic Lands, suhmitted a report on communications from Park Commissioners and order (referred June 28), recommending passage in following new draft, viz.:

Ordered, That the Board of Park Commissioners he and herehy is authorized to sell on such terms as said Board with the approval of the Mayor may deem proper, a parcel of land in the Brighton district, so called, bounded southerly hy Commonwealth avenue, and northeasterly by Chestnut Hill avenue, and containing as shown on the atlas about 66,672 square feet, said land to be sold for not less than 70 cents per square foot per lot.

The question came on accepting the report and passing the order.

Coun. KENNY—I would like to move to amend that order. I do not pretend to have any very superior opinion or knowledge as to the value of land in Brighton, but I am amazed at the suggestion there that that land be sold for seventy cents a foot. It is, perhaps, the most desirahle huilding location in the Aberdeen district, fronting on Commonwealth avenue, and near the Chestnut Hill Reservoir. I went out yesterday afternoon and looked over the land, and it seems to me that the city should get more than that for it. I understand, of course, that we are dealing now only with the sale of the land itself. We are not taking up the question of acquiring additional lands. That is a matter for the Park Department. But in the sale of this particular lot the sale recommended here at seventy cents a foot seems to me altogether too low for that land, If I am to have any opinion at all as to the va lue of land, I should suppose that land was worth $1.25 or $1.50 a foot. Therefore, Mr. President, I would move that that matter also lie on the tahle until we can ascertain further the value of the land. I have no ohjection, Mr. President, to this land heing sold if in the opinion of the Park Department it is deemed a wise and prudent thing to do. That land, as a matter of fact, is used every day now hy the children in that locality for tennis and croquet. It is a beautiful piece of land. Nevertheless there are other places for the children to play. The people living in that vicinity are rich in respect to having playgrounds and outdoor places to enjoy, but that particular piece of land to my mind ought to hring more than the amount stated in that order. I should not ohject to its being sold if the Park Department feel it ought to he sold. It is really, of course, not a part of the Park Department system, But I should like a further opportunity to examine into it.

Coun. SMITH—As chairman of the Committee on Public Lands I should like to justify the action of the committee in placing seventy cents as the upset price. It was on the opinion of the city expert, Mr. Kiley, that the land would hring sixty cents, if sold, that we took that action. So that we have increased that one-sixth. And it seemed to me that was a fair upset price. But if the Council feel that the land is worth more—and it is a

desirahle piece of land—I should he willing to have it lie on the table or have any other action taken. But that is the reason that the committee put seventy cents a foot on the land as the upset price, hecause Mr. Kiley, the real estate expert, told us it would bring ahout sixty.

Coun. BUCKLEY—Mr. Chairman,——

President COLLINS—Really this motion is not debatahle. I have given some latitude, however. You may go on, Coun. Buckley.

The question came on the motion of Coun. Kenny that the report lay on the tahle. On a *viva voce* vote the Chair heing in doubt called for a rising vote, and four voted in the affirmative and three in the negative, the motion to lay on the tahle heing carried.

Coun. CURLEY—I move a reconsideration of the vote just taken, hoping the same will prevail. And on the question of reconsideration I feel it is rather unfair for a member to move to lay it on the table after he has dehated a question and so shut off everybody else from discussing the merits of the proposition. As I understand it an upset price figure means the land can't be sold helow that figure, but there is nothing to prevent its being sold at a figure many times greater. I would say I was present when Mr. Smith talked with Mr. Kiley over the 'phone in relation to this matter, and Mr. Kiley said land in that neighborhood was selling at fifty cents a foot, and that this land was assessed at seventy-five cents a foot, hut he didn't think it would bring over seventy. Now, the recommendation has been made hy the Park Commission without a recommendation to the Committee on Public Lands as to an upset price. The Committee on Puhlic Lands adopted an upset price at a figure one-sixth heyond the price placed on the land hy Mr. Kiley. If Coun. Kenny feels that the upset price should be the valuation, I think he can amend the order and make it seventy-five cents. The matter has not heen acted on hastily by the committee. The matter has heen before the Council several weeks. It has been recommended hy the Park Commission, who acted unanimously. I trust that reconsideration will ohtain. I don't feel it is the desire of any member of the committee to take an undue or unfair advantage of any other memher or of the city itself in the matter, and I am perfectly willing to go any distance with them.

Coun. BUCKLEY—Mr. President, in company with Coun. Smith I visited this place and we saw the piece of land which the city desires to sell and which his Honor the Mayor recommends that the city sell. It is a heautiful piece of property, just as Mr. Smith says. Neither one of us knew the value of property in that section of the city, nor do we know now, outside of what Mr. Kiley, the real cstate expert of the City of Boston, states. We hoth want to get just as much as the city can get for that land. We have no interest outside of the fact that we want the City of Boston to get all it possibly can for the piece of land out there. I was not opposed to having this matter go over, hut in view of the fact that in all prohability we won't meet again for some considerable time, and as so many of the memhers of the City Council are going to he away, it seems to me we ought to act on this matter to-night. The Park Commissioners don't have to sell that piece of property for a price way helow its value. They can get for it absolutely what it is worth. We say they can't sell below a certain figure. We don't tell them how high they can go; and it seems to me with men such as compose the Park Commission of the City of Boston, with Mr. Peabody as the chairman, that the City of Boston will surely get a square deal. I don't know the gentleman whose land it is proposed to swap that land for. I never met him. Mr. Smith and I wanted to do ahsolutely what is right and that is what we are going to do. But it seems to me in all fairness, in order that the matter may be disposed of at once, we ought to act here to-day and not wait until the members have returned from their vacations. We won't be able to get so many memhers here again for a considerable time. It seems to me we ought to act to-day, and I know Mr. Kenny will be willing to act to-day rather than wait until fall.

Coun. KENNY—I am not intending to have the report of the committee rejected. I don't think that should he the view we should take of it. And the members here who have been out to Brighton and seen the land, if they have formed any opinion as to its value they have not disclosed it to this Council. I would like them to say to the Council what, in their opinion, that land is worth. They probahly made some investigation.

Coun. SMITH—Mr. President, as chairman of that committee I frankly admit that the committee have formed very little estimation of the value of that land. We are depending very largely upon Mr. Kiley's estimate. With the vicinity of Oak square perhaps the committee is more familiar. The city has there bought land for an engine house for thirty-five cents a foot, with a car line in the immediate neighborhood of the square. A Catholic institution hought at the top of the hill, just heyond the square, a tract of land at fifteen cents a foot. Of course this is some distance from that and has the advantage of overlooking the pond, and it is a triangular lot at the intersection of two streets. It seems to me the expert's opinion of the matter is a just one, hut I don't set up as an expert on land in that part of the city. That is why I concurred with Coun. Kenny in laying the matter on the tahle. I don't want to have any criticism as to the sale of lands hy the city come hack to this committee.

Coun. KENNY—I shall he agreeahle to assenting to a reconsideration, providing the order may he amended so that the land shall be sold at public auction and the upset price shall he seventy-five cents a foot.

The question came on reconsideration. The motion was carried. The question then camc on passing the order as amended hy Coun. Kenny. The amendment was read by the Clerk as follows: "Said land to be sold at public auction at a price not less than seventy-five cents per square foot per lot."

The amendment was adopted. The question then came on passing the order as amended, and the roll was called, and the order was passed, yeas 7, nays 0.

NEXT MEETING OF THE COUNCIL.

Coun. CURLEY—I move you, sir, that when the Council adjourns, it adjourn to meet on Monday, August 21, at 3 p. m.

Coun. KENNY—As an amendment to that motion I move that when the Council adjourns it adjourn to meet at call of the President.

The question came on the amendment of Coun. Kenny. On a *viva voce* vote the amendment was declared carried, whereupon Coun. Curley doubted the vote and asked for a verification by roll call. The roll was called and it appeared that three voted in the affirmative and four in the negative, and the motion did not prevail. The question then came on the motion of Coun. Curley.

President COLLINS—The Chair will say that when the Mayor went away he thought if we had a meeting some days before that for the tax levy we could get the tax levy settled.

Coun. KENNY—I would move another amendment, if it is in order, that we adjourn to meet on the 21st of August unless sooner called together hy the Chair.

Coun. CURLEY—As I understand it, Mr. Chairman, the real Mayor intends to return to Boston the 10th of August, and he has the power to call a special meeting.

The question came on the amendment of Coun. Kenny that when the Council adjourns it adjourn to meet on August 21 unless called together sooner by the Chair. Upon a *viva voce* vote the Chair, heing in douht, called for a rising vote, whereupon it appeared that two voted in the affirmative and four in the negative, and the amendment did not prevail. The question then came on the motion of Coun. Curley that when the Council adjourns it adjourn to meet on August 21, at 3 p. m. The motion was carried.

FIRE PROTECTION FOR CITY.

Coun. CURLEY offered an order—That the Fire Commissioner report to the City Council what sections of the city are in need of fire protection, the character of apparatus necessary and the number of men in his opinion required to safeguard the interests of the public.

Passed.

GENERAL RECONSIDERATION.

Coun. McDONALD moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail.

Lost.

Adjourned on motion of Coun. KENNY at 10.37 p. m. to meet on Monday, August 21, at three o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, July 24, 1911.

Special meeting of the City Council, held in the Council Chamber, City Hall, at 2.30, p. m., for the purpose of drawing jurors, President COLLINS in the chair and a quorum present.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894, viz.:

Two grand jurors, Superior Criminal Court, to appear August 7, 1911:

Timothy J. Brennan, Ward 17; Joseph S. Dillon, Ward 24.

Forty-one traverse jurors, Superior Criminal Court, to appear August 9, 1911:

Joseph H. Woodhead, Ward 25; George M. Conley, Ward 8; Gordon F. Ervin, Ward 21; Joseph D. MacIsaac, Ward 23; Robert N. Gallagher, Ward 21; George J. Lynch, Ward 20; John B. Masury, Ward 20; William J. Freeman, Ward 17; William F. Daly, Ward 19; John Keefe, Ward 4; Philip F. O'Brien, Ward 22; Paul W. Zimmerman, Ward 20; Jeremiah F. McCarthy, Ward 8; James Curvin, Ward 15; Arthur H. Smith, Ward 2; John S. Wallin, Ward 25; Edward W. Brown, Ward 25; William McKenney, Ward 25; John F. Houston, Ward 22; Michael C. Haley, Ward 24; William A. Wellock, Ward 1; Harry D. Mank, Ward 1; Coleman J. Foley, Ward 20; Jerome J. Cowin, Ward 2; William J. Cross, Ward 9; Vincent F. Crowley, Ward 12; William J. Byrne, Jr., Ward 15; Carl Fischer, Ward 20; Joseph Thompson, Ward 22; Bernard J. Campbell, Ward 4; Frederick W. Keyo, Ward 3; Gustaf I. Anderson, Ward 16; P. Joseph Lyons, Ward 19; Patrick O'Neill, Ward 13; David W. Connell, Ward 24; George W. Sprott, Ward 25; John T. Wiswell, Ward 13; John J. Maguire, Ward 25; D. Allison Carrick, Ward 11; Clark B. Arseno, Ward 10; Bernard O'Brien, Ward 4.

Adjourned at 2.36 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Friday, August 11, 1911.

Special meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair.

The Clerk read the call for the meeting as follows:

City of Boston,
Office of the Mayor, August 10, 1911.

To the Members of the City Council:

You are hereby requested to assemble in the City Council Chamber, City Hall, on Friday, August 11, 1911, at three o'clock p. m., for the purpose of taking action on orders appropriating by loan $48,000 for a new steamer for the Health Department and $60,000 additional for the East Boston Courthouse and Police Station. These orders were recommended for adoption by his Honor Mayor Fitzgerald on June 13 and 16, and they will be in effect (unless rejected by the City Council) on August 12 and 15, respectively.

Respectfully,
WALTER L. COLLINS,
Acting Mayor.

Placed on file.

The Clerk, by direction of the President, called the roll to ascertain the attendance, with the following result:

Present—Coun. Attridge, Collins, McDonald—3.

The PRESIDENT—Three members being present, less than a quorum, the meeting stands adjourned.

The Council stood adjourned at 3.50 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, August 21, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair.

The Clerk called the roll to ascertain the attendance, with the following result:

Present—Coun. Attridge, Buckley, Collins, McDonald—4.

The PRESIDENT—Less than a quorum being present, the Council stands adjourned, to meet, under the rule, one week from to-day at three o'clock.

Adjourned at 3.35 o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, August 22, 1911.

Special meeting of the City Council, held in the Council Chamber, City Hall, at 1.30 o'clock, p. m., President COLLINS in the chair. Absent—Coun. Ballantyne and Kenny.

The Clerk read the call for the meeting, as follows:

City of Boston,
Office of the Mayor, August 21, 1911.

To the Memhers of the City Council:

You are hereby requested to assemble in the City Council Chamher, City Hall, on Tuesday, August 22, 1911, at 1.30 p. m., for the purpose of considering appropriations and for the transaction of such other husiness as may properly come before the meeting.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

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The Council voted, on motion of Coun. ATTRIDGE, to dispense with the reading of the records of the last two meetings.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1904 (the Mayor heing present), viz.:

Thirty-five traverse jurors, Superior Civil Court, Seventh Session, July Sitting, to appear September 11, viz.:

Charles L. Howe, Ward 12; Dennis H. Curran, Ward 12; David H. Everett, Ward 12; John D. Loftus, Ward 19; Russell Hathaway, Jr., Ward 20; William McNamara, Ward 9; Edward J. McNamara, Ward 1; John M. Niland, Ward 1; George D. Doane, Ward 6; Frank A. Lincoln, Ward 20; Frank A. Stout, Ward 15; Frederic Shackley, Ward 23; Charles W. Moses, Ward 9; Thomas Cashman, Ward 1; Jesse C. Snow, Ward 21; James M. Walsh, Ward 11; Frank R. Adams, Ward 16; Michael J. Connelly, Ward 1; Henry J. Schemack, Ward 19; William E. Riker, Ward 22; Timothy M. Driscoll, Ward 24; Andrew P. Hickey, Ward 2; John J. Lawless, Ward 1; Arthur H. Lee, Ward 23; Frank Parodi, Ward 6; George A. Phipps, Ward 20; Charles E. Richards, Ward 25; Benjamin Birorson, Ward 8; Charles B. Alden, Ward 24; Charles E. Minard, Ward 24; Joseph S. O'Donnell, Ward 16; Frank H. Turgeon, Ward 12; Andrew J. Lane, Ward 24; William H. Dooley, Ward 14; Morris Cohen, Ward 10.

Thirty-five traverse jurors, Superior Civil Court, Sixth Session, July Sitting, to appear Septemher 11, viz.:

Thomas Hannon, Ward 16; Richard H. Doyle, Ward 3; Alhert H. Faber, Ward 1; Henry L. Hall, Ward 20; Walter E. Greene, Ward 20; Michael J. Lynch, Ward 16; Joseph J. Wall, Ward 20; Francis J. McLaughlin, Ward 16; John C. Cormier, Ward 17; Henry E. Lunt, Ward 19; Edward J. Gilman, Ward 23; James H. McGrath, Ward 18; John H. Joyce, Ward 24; John J. Mahoney, Ward 3; Frank E. Wells, Ward 16; Frederick Smyth, Ward 16; John J. Malone, Ward 9; Charles W. Hull, Ward 20; Michael J. Flanigan, Ward 10; August Rohnstock, Ward 16; Harry C. Hanson, Ward 21; Harry H. Walker, Ward 11; Patrick Leahy, Ward 24; George W. Burke, Ward 1; Alhert W. Bullard, Ward 12; Charles J. Holderried, Ward 13; Russell G. Fessenden, Ward 11; Frank J. Williams, Ward 25; Charles Levin, Ward 1; James H. Barry, Ward 11; James J. Doyle, Ward 2; Leveritt T. Hughson, Ward 24; Jacoh Mathis, Ward 19; N. Howard Peckham, Ward 10; Thomas J. Davis, Ward 17.

Forty-one traverse jurors, Superior Criminal Court, to appear September 6, 1911:

Charles A Dodge, Ward 25; Dennis D. Donovan, Ward 3; Alhert E. Josselyn, Ward 10; William F. Caldwell, Ward 24; George F. Leonard, Ward 10; John V. Page, Ward 18; Edward F. Beal, Ward 22; John R. Marshall, Ward 12; John H. Wheeler, Ward 9; Charles P. Lyon, Ward 24; William C. Hagan, Ward 16; William C. Low, Ward 11; John E. Scollin, Ward 19; Louis Spillar, Ward 8; Arthur Ritchie, Ward 17; William A. Dacey, Ward 24; Edward Fitzgerald, Ward 24; Fred A. Adams, Ward 20; Daniel D. Sullivan, Ward 10; James J. Lee, Ward 12; Montgomery J. Dalrymple, Ward 14; Thomas Riley, Ward 21; John J. Ryan, Ward 18; Frederic F. Lamhert, Ward 5; Timothy Keohan, Ward 1; John Bartlett, Ward 4; James McCarthy, Ward 3; Patrick C. O'Brien, Ward 8; Patrick J. Grinley, Ward 25; John J. Madden, Ward 14; William B. Lewis, Ward 21; John P. McDermott, Ward 22; John Edwin Strom, Ward 22; Ferdinand Danielson, Ward 22; William G. Ahern, Ward 21; Francis E. McConologue, Ward 13; Squire Clark, Ward 18; Winifield S. Burrill, Ward 2; Frank B. Follett, Ward 7; Stephen Bradford, Ward 24; Peter C. Ross, Ward 25.

Forty-two traverse jurors, Supreme Judicial Court, Septemher Sitting, to appear Septemher 12, 1911:

Frank W. Rehm, Ward 19; Burton L. Longley, Ward 12; William T. Cameron, Ward 1; Patrick E. Dugan, Ward 9; Nathan Neville, Ward 5; William J. Greene, Ward 21; Daniel P. Shea, Ward 15; Frank R. R. Shattuck, Ward 20; Patrick Camphell, Ward 3; James T. Purcell, Ward 23; William L. McKee, Ward 11; Thomas F. Bevans, Ward 16; Ahraham Sydman, Ward 23; William O. Achorn, Ward 15; Onesime Cote, Ward 7; Elmer B. Laforme, Ward 14; Wilhur F. Camphell, Ward 20; Louis Naumann, Ward 1; John Harris, Ward 16; James R. O'Brien, Ward 24; Richard T. Kelly, Ward 2; Isaac Fonseca, Ward 20; John J. Needham, Ward 22; John J. Morris, Ward 13; William J. Dean, Ward 15; Francis J. Murphy, Ward 3; Vincent P. Ring, Ward 23; Orlando F. Deshon, Ward 23; Daniel J. Nihill, Ward 23; Patrick A. Foley, Ward 13; William W. Spencer, Ward 20; Frank Spangler, Ward 25; Harry D. Delano, Ward 11; John H. Donovan, Ward 21; Gustaf F. Browall, Ward 22; Charles J. Upham, Ward 20; Patrick J. Glynn, Ward 23; Richard Traiser, Ward 11; Albert N. Miller, Ward 1; Herhert E. Slayton, Ward 25; John J. Kelley, Ward 5; Daniel J. Canty, Jr., Ward 24.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, August 19, 1911.

To the City Council:

Suhject to confirmation by your honorable hody, I herehy make the following appointments, all for the term ending April 30, 1912:

Charles H. Gelpke (24 Elmo street, Ward 20), to be a Gauger of Liquid Measures.

Walter N. Fogarty (7 York street, Ward 20) and Francis C. Powell (64 Pleasant street, Ward 20), to be Weighers of Coal.

Henry H. Walters (191 Nichols street, Everett), Fred Kitson (9 Elmwood street, Ward 19), William A. Podolski (311 Silver street, Ward 15), William H. Drake (767 East Fifth street, Ward 14) and William L. Woods (104 H street, Ward 14) to he Weighers of Coal, Measurers of Wood and Bark, Measurers of Grain, Weighers of Boilers and Heavy Machinery and Weighers of Beef.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Office of the Mayor, August 21, 1911.

To the City Council:

Suhject to confirmation hy your honorable hody I hereby appoint Fred G. Trask (68 Farrington street, Ward 1) and Rohert H. Walsh (71 Baldwin street, Ward 4) Constahles of the City of Boston for the term ending April 30, 1912.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Severally laid over under the law.

LOAN FOR MERIDIAN STREET BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, August 16, 1911.

To the City Council:

At its meeting of June 13, 1911, your honorable body rejected, without prejudice, a loan order appropriating sixty-three thousand dollars ($63,000) additional for the Meridian Street Bridge. Since then the Acting Secretary of War, under date of July 20, has transmitted an instrument approving plans for a bridge substantially in accordance with the findings anticipated by the Engineer of the Bridge and Ferry Division of the Department of Public Works, in his letter of April 14, transmitted with my message of that date. The letter of the Acting Secretary of War, with a copy of the instrument referred to and the plan, is attached hereto for your information. It seems necessary, if the estimates of the department engineers are correct, that the loan order previously rejected should now be passed in order that work may be begun upon the structure in accordance with the plans as approved.

I therefore recommend once more the passage of the loan order originally recommended to your honorable body at its meeting of April 14 and subsequently rejected without prejudice.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

War Department,
Washington, July 20, 1911.

Sir,—Referring to your application of 15th ultimo, I transmit herewith, for retention, an instrument approving the map of location and plans of a bridge, to be reconstructed by the City of Boston across Chelsea creek, at Meridian street, Boston, Mass., subject to the conditions set forth in said instrument.

Very respectfully,
ROBERT SHAW OLIVER,
Acting Secretary of War.

(Annexed were plans of bridge, etc.)

—

Ordered, That the sum of sixty-three thousand dollars ($63,000) be and hereby is appropriated, to be expended by the Commissioner of Public Works in the reconstruction of the Meridian Street Bridge; and that to meet the said appropriation the City Treasurer be authorized to issue from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

BATHING PLACE, PARKER HILL.

The following was received:

City of Boston,
Office of the Mayor, August 7, 1911.

To the City Council:

I beg to transmit a communication from the Commissioner of Public Works, referring to the request of the City Council for an estimate of the cost of transforming Parker Hill Reservoir into a suitable bathing place, with necessary shelters, etc. This request was referred to the Commissioner of July 12, in compliance with an order of the City Council passed at its meeting of July 7, and returned herewith.

Respectfully,
WALTER L. COLLINS, Acting Mayor.

—

City of Boston,
Public Works Department,
Boston, August 2, 1911.

Mr. L. K. Rourke,
Commissioner of Public Works:

Dear Sir,— I return you herewith the request of the City Council for an estimate of the cost of transforming the reservoir at Parker Hill into a suitable bathing place, with necessary shelters. etc.

This was investigated by Mr. Frederick I. Winslow, Engineer of Extension, who reports that to build the necessary shelters, with lockers for both sexes, steps down to the bottom of the reservoir, and to fill bottom to a slight depth with gravel, would cost about $1,500, the idea being to draw down the water to a depth of about four feet above the bottom of the reservoir.

Respectfully,
E. S. Dow,
Acting Division Engineer
Sewer and Water Division.

Referred to the Executive Committee.

IMPROVEMENTS ON PARKS.

The following was received:

City of Boston,
Office of the Mayor, August 22, 1911.

To the City Council:

Under date of August 21, 1911, the chairman of the Board of Park Commissioners has addressed to me a communication requesting that appropriations be made from the income of the Parkman Fund for the following purposes:

Charlesbank, completion of improvements	$600 00
Further repairs upon fence on sea wall,	600 00
Castle Island, new water supply, four-inch pipe	3,000 00
Franklin Park, bears' dens, bird cage, sewer and water supply for Zoological Garden	20,000 00

I recommend that the accompanying order, appropriating the total of these items, amounting to twenty-four thousand two hundred dollars ($24,200), from the income of the Parkman Fund, be passed by your honorable body. The City Treasurer informs me that the available income of the Parkman Fund is forty-four thousand three hundred seventy-one dollars and twelve cents ($44,371.12).

Your attention is called to a passage on page four of the accompanying letter from Chairman Peabody, in which he sets forth the need of these appropriations.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Board of Commissioners of the
Department of Parks,
Office at Pine Bank, Olmsted Park,
Jamaica Plain, Mass., August 21, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,— In accordance with your request I mention herewith the matters relating to the park which need your attention.

An appropriation of $60,000 is in the hands of the Park Commission to be expended on the playground in the Parker Hill district. We ask that this be made to read so that it can be expended for playground purposes in Ward 19. An appropriation of $40,000 has been asked for to be expended for playground purposes in Ward 19. We ask that this sum be appropriated. If these two sums are placed at our disposal for playground purposes in Ward 19 we think that we can make purchases which will meet with general satisfaction.

It has been proposed that the reservoir lot be turned over to the park for playground purposes. As we wrote you on June 23, 1911, we should be glad to receive the reservoir lot and develop it for play and recreation and park purposes if the Council will appropriate the sum of money for its development. Mr. Kiley says that the engineer's office reckoned that $15,000 would be needed to grade it, and to finish it thoroughly we ought to have an appropriation in excess of that sum.

The Park Commission holds an appropriation of $25,000 to expend for playground purposes in Ward 7. We have been unable to purchase for that money what seemed to us a suitable playground. Some years ago an appropriation was made for a playground in Ward 7 or 9. The playground was bought in Ward 9 and the auditor rules that the balance not spent cannot be expended on the Ward 7 or another playground. We ask that the balance of the appropriation be transferred so that we may add it to the appropriation for the Ward 7 playground and so that we may spend it in that manner. With this added to our existing appropriation we see the way to make a proper purchase.

I would report that the Park Commission has done its part as regards the Ward 16 Playground on Dacia street and the matter is now in the hands of the Street Commission to conclude the business.

As to the appropriation for a playground in Ward 20 I would report that we have advertised for bids but before taking action we have decided to confer at greater length with you regarding this matter.

Among the transfers from the reserve fund approved by you June 26, 1911, one reads "Savin Hill Playground Improvements ,$3,500." Our request was for Savin Hill Park, loam, planting and steps, $3,500. The latter is much needed to finish the improvements that have been undertaken at Savin Hill Park, and the sum would be very small to accomplish an improvement that would be worth while on the playground. We therefore ask that the appropriation be changed so as to read for the purpose for which we asked it, namely, Savin Hill Park, loam, planting and steps, $3,500.

If the Council or your Honor desire to improve matters at the Savin Hill Playground we request that you give us a substantial appropriation, $10,000 or $15,000, and thereby permit us to purchase some more beach which has lately been offered to us and renew the sand on the beach which alone would cost $1,000.

In our request for works of construction and improvement we suggested a play shelter on Copp's Hill Terrace at a cost of $28,400. In our judgment this is a very desirable improvement because it would provide in a most sightly place and for this resonable sum a building of two stories which would practically equal in value a new small playground in that district. If the Council cannot see its way to appropriate $28,400 for this shelter we ask that at least they give us, to make some changes to give increased accommodation, the sum of $5,000.

The center of Billings Field is marshy. We have tried to fill it with the ashes from the neighborhood but never get enough of it to complete the job. We should like to finish the field which is otherwise so attractive, and ask for this purpose $1,000.

We should also like to get funds to advance the following work:

Rogers Park, planting and grading, $1,500; Dorchester Park, water supply and fountains, $750.

From the Parkman Fund we should like to ask for the following appropriations:

Castle Island, new water supply, 4-inch pipe, across the bridge, to take the place of a 2-inch pipe now worn out, $3,000.

In carrying out the improvements in Charlesbank we have found it necessary to go slightly beyond the appropriation from the Parkman Fund and to make this up we ask for $600; and to further repair the fence on the seawall $600; or a total of $1,200.

The Park Commission is now building the bears' dens and the bird cage and the main sewer and water supply at the Zoo. Beyond the appropriations already made we shall need to thoroughly complete these the sum of about $20,000.

We are anxious to start on building the winter bird house which is adjoining the large flying cage at the Zoo and for this purpose shall need an appropriation of $75,000.

Yours truly,
ROBERT S. PEABONY,
Chairman.

—

Ordered, That the following sums be and hereby are appropriated from the income of the Parkman Fund for the present year, to be expended under the direction of the Board of Park Commissioners:

Charlesbank, completion of improvements	$600 00
Further repairs upon fence on seawall	600 00
Castle Island, new water supply, 4-inch pipe	3,000 00
Franklin Park, bears' dens, bird cage, sewer and water supply for zoological garden	20,000 00

Referred to the Committee on Parkman Fund.

PARKS AND SQUARES IMPROVEMENTS, ETC.

The following was received:

City of Boston,
Office of the Mayor, August 22, 1911.

To the City Council:

The accompanying communication from the Superintendent of Public Grounds, addressed to Secretary William A. Leahy, indicates the needs of various parks and squares under his jurisdiction, which come under the provisions of the will of the late George Francis Parkman, and which may be improved from the income of the fund bequeathed by him to the city for this purpose. While the entire cost of these improvements, estimated by him at eighty-two thousand one hundred seventy-five dollars ($82,175), is in excess of the present resources of the Parkman Fund, it seems to me that certain items such as convenience stations at Franklin square, Meeting House Hill, Madison park, and Washington park, and the bubble fountains in various parks, might well be provided at the present time.

I recommend, therefore, the passage of the accompanying order, appropriating fifteen thousand dollars ($15,000), from the income of the Parkman Fund for the present year, to be expended under the direction of the Superintendent of Public Grounds for convenience stations, bubble fountains, and other improvements in the public parks and squares.

Respectfully,
JOHN F. FITZGERALN, Mayor.

—

City of Boston,
Public Grounds Department,
Dorchester, March 7, 1911.

Mr. William Leahy,
Mayor's Office, Boston, Mass.:

Dear Sir,—In answer to your letter of inquiry concerning the renovation and improvement of public grounds in the several sections of the city (the cost of same to be paid from the Parkman Fund) I would state that there is a great apparent need in the majority of these districts for general improvements, particularly in the following-named parks and squares. I have recommended what appears to be the most important items in the needs of each district, together with the presumed cost. Of course it is understood that all estimates rendered are but approximate.

City Proper:

Berwick Park.—New iron fence, $600; bubble fountain, $125.

Blackstone Square.—Apparatus for up-to-date sand garden, $1,500; granolithic walk, $700; one bubble fountain, $125; permanent concrete settees, $400.

Concord Square.—Bubble fountain, $125; new iron fence, $1,200.

Fort Hill Square.—New granolithic walks, $1,500; permanent concrete settees, $175; bubble fountain, $125.

Franklin Square.—Comfort station, $4,000; bubble fountain, $125; permanent concrete settees, $400; loam and manure, $300.

Massachusetts Avenue.—Reconstruction of walks, $2,000; bubble fountain, $125; comfort station, $4,000; permanent concrete settees, $300.

Rutland Square.—New iron fence, $1,500; bubble fountain, $125.

Union Park.—Permanent concrete settees, $200; bubble fountain, $125; replanting, $200.

Worcester Square.—New iron fence, $2,500; permanent concrete settees, $150; bubble fountain, $125.

Brighton District:

Brighton Square.—Loam and manure, $400; bubble fountain, $125; permanent concrete settees, $200; replanting, $125.

Jackson Square.—Bubble fountain, $125; permanent concrete settees, $150.

Charlestown District:

City Square.—Bubble fountain, $125; permanent concrete settees, $350.

Sullivan Square.—Loam and manure, $600; bubble fountain, $125; permanent concrete settees, $250.

Winthrop Square.—Cleaning and repointing monument, $200; loam and manure, $400; bubble fountain, $125; permanent concrete settees, $300.

Dorchester District:

Meeting House Hill.—Loam and manure, $1,200; bubble fountain, $125; comfort station, $4,000; granolithic walks, $2,000; permanent concrete settees, $500.

Mount Bowdoin.—Permanent concrete settees, $275; bubble fountain, $125.

East Boston District:

Central Square.—Loam and manure, $1,000; granolithic walks, $900; permanent concrete settees, $300; bubble fountain, $125.

Maverick Square.—Loam and manure, $400; permanent concrete settees, $350; bubble fountain, $125.
Belmont Square.—Loam and manure, $500; permanent concrete settees, $200; bubble fountain, $125.
Putnam Square.—Bubble fountain, $125.
Prescott Square.—Bubble fountain, $125.

Roxbury District:

Bromley Park.—Loam and manure, and replanting, $1,000; bubble fountain, $125.
Fountain Square.—Replanting, $600; loam and manure, $1,000; new granolithie walk, $1,200; bubble fountain, $125.
Longwood Park.—Granolithic walk and steps, $900; bubble fountain, $125.
Madison Park.—Loam and manure, and bringing up to grade, $6,000; comfort station, $4,000; granolithic walks, $2,000; two bubble fountains, $250; permanent concrete settees, $650.
Washington Park.—Apparatus for up-to-date sand gardens, $1,500; comfort station, $4,000; granolithic walks, $6,000; additional soil and manure, $1,500; bubble fountain, $125; permanent concrete settees, $700.

South Boston District:

Independence Square.—Completion of walks in granolithic, $4,000; replanting certain sections, $2,000; fertilizers, $50; replacing bedge, $300.
Thomas Park.—Repairs on Historic Monument, $3,000; loam and manure, $1,000; permanent concrete settees, $200; bubble fountains, $125; resurfacing valks, $500.

West Roxbury District:

Soldiers' Monument Lot.—Cleaning and repointing, $235; bubble fountain, $125.

We have not included Orchard Park, Roxbury district, in our list, as the city government has for some time considered the advisability of enlarging its territory, and again the matter of establishing a playground there has been discussed. Until such time as the matter is definitely settled we must refrain from submitting estimates in regard to its improvement.

In conclusion, I would strongly recommend that an appropriation be set aside from the Parkman Fund for the undertaking of this work. Although we thoroughly appreciate the urgent need of attention to these improvements on the various squares, it would be impossible for us to carry on the work from our general appropriation as its amount will not admit of extra expenditures aside from our regular work.

There are a number of other public grounds, proportionately in need of renovation, which we have not included, as they are not covered by the Parkman bequest, not being in existence in this department in the year 1887.

Respectfully submitted,
D. H. Sullivan,
Superintendent.

These improvements total $82,175.

—

Ordered, That the sum of fifteen thousand dollars ($15,000) be and hereby is appropriated from the income of the Parkman Fund for the present year, to be expended under the direction of the Superintendent of Public Grounds for convenience stations, bubble fountains, and other improvements in the public parks and squares.

Referred to the Committee on Parkman Fund.

SAVIN HILL PARK IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, August 22, 1911.

To the City Council:

At its meeting of June 26, 1911, an order was passed by your honorable body, on my recommendation, transferring the sum of three thousand five hundred dollars ($3,500) from the appropriation for Reserve Fund to an appropriation for Savin Hill Playground, Improvements. I am informed that the appropriation was really desired for loam, planting and steps at Savin Hill Park and that the appropriation for the playground will be of comparatively little value.

I recommend, therefore, the passage of the accompanying order, transferring the sum of three thousand five hundred dollars ($3,500) from the appropriation for Savin Hill Playground, Improvements, to an appropriation for Savin Hill Park, Improvements.

Respectfully,
John F. Fitzgerald, Mayor.

Ordered, That under the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of threef thousand five hundred dollars ($3,500) from the appropriation for Savin Hill Playground, Improvements, to an appropriation for Savin Hill Park, Improvements.

Referred to the Executive Committee.

CONDITION OF "VIGILANT."

The following was received:

City of Boston,
Office of the Mayor, August 17, 1911.

To the City Council:

Your attention is called to the accompanying letter from the Finance Commission, with the report of its engineer attached thereto, also a copy of my communication of August 16, in reply to the letter of the commission. The report of the expert who will examine the condition of the "Vigilant," as promised in my communication, will be forwarded to your honorable body as soon as it is received.

Respectfully,
John F. Fitzgerald, Mayor.

—

Boston Finance Commission,
410–416 Tremont Building,
Boston, August 16, 1911.

Hon. John F. Fitzgerald, Mayor:

Sir,—A loan order of $48,000 for the purchase of a new steamer to replace the steamer "Vigilant," now used by the Health Department, became effective on August 13 last, owing to the failure of the City Council to act upon the loan order within the sixty days after it was filed, as required by section 2 of chapter 486 of the Acts of 1909.

As shown by the annexed copy of a report to the Finance Commission made by Mr. Guy C. Emerson, there seems to be considerable doubt as to the necessity of a new boat. At all events a more thorough examination of the boat should be made before the city is finally committed to the proposed expenditure.

The Finance Commission respectfully suggests that you cause such an examination to be made before authorizing the issuance of the loan.

Respectfullty submitted,
The Finance Commission,
by John A. Sullivan,
Chairman.

—

August 7, 1911.

Hon. John A. Sullivan,
Chairman Finance Commission:

Dear Sir,—I beg leave to submit the following information regarding the Health Department steamer "Vigilant" and its present condition:

Since the consideration of the need of the department for a new boat by the Finance Commission at its meeting on August 4, I have made a personal examination of the boat, so far as possible. I have interviewed the captain and engineer and had the various defects of the boat pointed out by them. I have interviewed among others a representative of the firm who built the boat, the foreman who had charge of the original construction and the recent repairs, and the United States Inspectors of Hulls and Steam Boilers.

The concensus of opinion seems to be that the boat is in excellent condition for a boat of its age.

The "Vigilant" was built in 1886 at East Boston and is now in its twenty-sixth year. During the early part of the life of the boat its duties were very light and it was used practically as a yacht. The quarantine work was maintained only during a few weeks in the summer season and the heaviest duty of the boat was in towing the bath houses to their positions in the spring and returning them to storage in the fall. For the last few years quarantine has been maintained during the entire year and the dutics of the boat have been somewhat greater. Nevertheless the duties of the boat have always been light as compared with those of the average towboat, and the boat has been maintained in excellent condition and large sums have been expended in repairs.

To show that the boat need not of necessity be unseaworthy on account of age, I submit to you the following list of wooden steamboats doing business in Boston Harbor and along the coast, selected at random, together with the dates upon which they were built:

"Mary O'Riorden," 1863; "William E Clary," 1864; "Emily," 1871; "Samuel Little" (the boat that preceded the "Vigilant" for quarantine service), 1872; *"Governor Andrew," 1874; "Peter B. Bradlee," 1877; "General Lincoln," 1878; "William Sprague," 1880; "Fanny Lenox," 1880; "Leader," 1881; "Penobscot," 1882; "City of Gloucester," 1883.

This list could be greatly extended if necessary.

The above list of boats does not however prove that the "Vigilant" may not be in the bad condition claimed. During the recent examination a number of planks were removed from the boat amidships and a small amount near the bow. All decayed material discovered was renewed. No borings were made below the water line at any other portions of the hull to determine if additional rotten wood existed. This is a comparatively easy test and certainly should have been done if suspicion of weakness existed.

The captain and the engineer told me that in their opinion there are certain decayed parts near the bow and stern of the boat. They also showed me leaky places around the waterways of the boat, a sill of the deck-house that was slightly decayed, the condenser of the engine that was leaking slightly and a small decayed place around the shaft tunnel at the stern of the boat. None of the defects pointed out were serious and their repair would be a small expense. Repairs to the condenser would probably be the largest item, and this will have to be done whether a new boat is authorized or not, so it should be omitted from the argument that a new boat is needed.

The absence of knees, commented upon by Messrs. Fay and Raymond, does not seem to be a serious matter. The "Vigilant" is a very narrow boat and the space amidships is nearly all taken up by the boiler and engine. The space between the deck-house and the side of the boat is so narrow that it is doubtful if the addition of knees would materially strengthen the boat. The deck beams in the amidship section are omitted on account of the space occupied by the engine and boiler. If knees are considered necessary, they can be easily inserted at a small expense at any time. My conclusions in the matter are as follows:

(1) No adequate examination by a competent disinterested board of survey has yet been made.

(2) No thorough and adequate examination of the boat has been made by any board or individual.

(3) The conclusion that a new boat is necessary is not justified by the superficial examination already made.

(4) It seems reasonably certain that, admitting that the boat is in the worst condition claimed, it could be repaired and put in first-class condition for perhaps fifteen years' service for an expenditure not exceeding $8,000, and the chances are that a considerably smaller sum will suffice.

On account of the above I am of the opinion that the commission would be amply justified in recommending the rejection of the proposed loan at the present time and making an additional recommendation that a thorough examination be made of the boat by a competent and disinterested board of survey.

Respectfully submitted,
GUY C. EMERSON,
Consulting Engineer.

City of Boston,
Office of the Mayor, August 16, 1911.

The Boston Finance Commission,
Tremont Building, Boston, Mass.

Gentlemen,—I beg to acknowledge the receipt of your communication of August 16, notifying me that the loan order recommended by me at the meeting of the City Council, held June 14, 1911, and providing the sum of forty-eight thousand dollars ($48,000) for the purchase of a new steamer to replace the steamer "Vigilant," became effective on August 13, 1911, owing to the failure of the City Council to act upon it, and annexing a copy of a report made to your commission by Mr. Guy C. Emerson, which opposes the building of a new steamer.

Your commission seems to have overlooked my subsequent message of June 26, 1911, which substituted a transfer order for the original loan order and operated as a withdrawal of the latter. This transfer order is now before the City Council, and your letter, with Mr. Emerson's report, will be transmitted to that body for its information. I desire, however, to correct the statement made by Mr. Emerson to the effect that "no thorough and adequate examination of the boat has been made by any board or individual.". Mr. Frederic H. Fay, Division Engineer of the Bridge and Ferry Division of the Department of Public Works, examined the boat thoroughly on May 26, 1911, and his report was attached to my original message to the City Council. A perusal of his letter will indicate the care with which Mr. Fay inspected the boat, but in order that there may be no question about the expenditure of so considerable a sum I shall have another examination made by a competent person not connected with any city department.

Yours very truly,
JOHN F. FITZGERALD, Mayor.

Referred to the Executive Committee.

FIRE PROTECTION FOR CITY.

The following was received:

City of Boston,
Office of the Mayor, August 21, 1911.

To the City Council:

I beg to transmit a communication from the Fire Commissioner containing a reply to the order of your honorable body passed at the meeting of July 17, and covering the questions "What sections of the city are in need of fire protection, the character of apparatus necessary, and the number of men required to safeguard the interests of the public."

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Headquarters Fire Department,
Boston, August 17, 1911.

His Honor the Mayor and the Honorable City Council:

Gentlemen,—Pursuant to an order passed by the City Council July 17 calling upon the Fire Commissioner to report through the Mayor concerning additional protection required to safeguard the interests of the city against fire, I have the honor to recommend the following:

RECOMMENDATIONS.

Building Limits.

That the building limits of the City of Boston be extended to include the entire city.

The manifest duty of the city government is to put an end to tinder-box construction. The danger of a sweeping conflagration in the suburbs, which may leave thousands homeless, should not be increased. The extension of the building limits is of incalculable importance and should not be delayed. Attached is a communication recommending the extension of the building limits to the entire city.

Motor Apparatus.

That a proper sum be made available at once for the purchase of motor apparatus. Such a sum will enable the department to change all chemical engines, all chief's buggies, certain administration wagons, hose wagons and ladder trucks to motor vehicles. Fast service of this character in our suburbs will do much toward reducing the fire risk. A more extended report on motor apparatus is attached.

PREVIOUSLY RECOMMENDED.

This office has already recommended and renews its recommendation for fifty additional firemen. Certain measures for fire protection on Parker Hill have been promulgated. The department is proceeding with plans for better fire protection in the vicinity of Oak square.

CONCLUSION.

If the above recommendations are carried out, in my opinion the several localities where fire protection should be improved will be benefited. Dorchester and West Roxbury will benefit particularly by an extension of the building limits, and by the adoption of motor apparatus. The steps recommended will insure such reasonable safety from fire as is possible under the present condition of buildings. This department has asked for no more funds than is believed to be necessary.

* This boat was recently destroyed by fire.

With respect to per unit cost comparisons between leading cities I desire to draw your attention to the following:

Per Capita Cost in Various Cities.

I attach hereto a statement showing that there can be no true per capita comparison of fire department costs between the leading cities of the country without proper allowance being made for differences due to methods of accounting, the distribution of the local population, topography, and the fire risk to he guarded against. In effect this statement shows that the Boston Fire Department is maintained at a very reasonable figure.

Favorable action should be taken on the above recommendations immediately in order to provide properly for the public safety.

Very respectfully,

Charles D. Daly,
Fire Commissioner.

(Three inclosures: 1. Building limits; 2. Motor apparatus; 3. Per capita costs of fire departments.)

Building Limits.

The area in which only buildings of the first or second class, *i. e.*, brick buildings, may be built, was last defined by the ordinance of 1892. Under this ordinance, Boston, with a total area of forty-two square miles, set aside approximately 10 per cent of that area, 4.2 square miles, as a section in which only brick buildings might he built.

Since the passage of this ordinance the population and the developed land of the city have made great advances. In the outlying sections of the city has this been particularly the case. Dorchester, Wards 20 and 24, in the last ten years has increased in population over 50 per cent, the total valuation of new buildings has increased 24 per cent, and the miles of accepted streets 12 per cent. Approximately the same statistics are true of West Roxbury, Ward 23, and Brighton, Ward 25. The population of these latter sections has increased approximately 30 per cent, and the assessed valuation of new buildings over 35 per cent. Roughly speaking, the population and valuation of the outlying sections of this city in the last ten years have both shown an increase of 30 per cent. Throughout the entire city this increase has been 20 per cent.

The character of the construction that has gone on throughout the city, outside the building limits, has been such as to cause grave concern to those interested in fire protection. It is needless to more than mention the vast areas of tinder-box buildings that the law has permitted. It is undeniable that at the present time we could have, due to this building policy, a conflagration in certain sections of this city akin to that which took place in Chelsea.

To reduce theis conflagration risk there is one paramount step which should be taken. The construction of wooden buildings should be stopped. Just as soon as the entire city is included within the building limits so soon will the City Council have placed this city on an intelligent hasis as far as fire protection is concerned.

Strengthening the Fire Department is no more important than the vast results obtainable by an extension of the building limits.

There are certain sections of the city which all parties agree should be included within the building limits. I think it is a fair statement to say that few will oppose the extension of the limits to Charlestown, most of East Boston, South Boston, and all of the city proper as far as Heath street, Columbus avenue, Seaver street and Columbia road. I think it is fair that the City Council should accept this area as the minimum which should be included in the building limits.

It is the belief of many that the entire city should be at once incorporated within the building limits, and this department earnestly recommends that the City Council take such action.

I desire to point out that the building limits of Boston include 4.2 square miles, whereas those of New York include 20 square miles, Philadelphia, 68 square miles, Baltimore, 15.2 square miles, Chicago, 50 square miles, St. Louis, 31 square miles. These figures need no comment.

Finally you will recall that as previously stated the outlying sections of the city have grown in population and valuation at the rate of not less than 30 per cent in ten years, whereas the building limits, the one great feature making for fire protection, have received no attention since 1892. Here again is a fact which requires no comment. It is manifest to any thinking person that the city government should continue a policy of extending the building limits in accordance with the growth of new buildings and new population.

Note.— Attached are certain tables which I recommend to the attention of the Council.

1. A table showing the fire limit areas of the largest cities of the country.
2. A table showing the increase of population, valuation, and new streets in Dorchester, West Roxbury and Brighton.
3. A table showing the increase of population, valuation and streets throughout the entire city.

Motor Apparatus.

This department has made a careful study of changing its horse-drawn apparatus to that of motor driven type. The present equipment of the Boston Fire Department has proven up to date an efficient fire stop for both down town and out of town fires. Any replacement of this apparatus necessitates changing from sure protection to untried apparatus whose efficiency under trying conditions may prove problematic. When it is considered that the value of the property protected is $1,400,000,000, and the number of people served is approximately 1,000,000 the seriousness of any change from present satisfactory conditions can be fully realized. No large city has as yet adopted any material amount of motor apparatus. Small cities, where the conflagration risk is neglected, and economy is the essential item, are its chief exponents. It has therefore been considered wise to recommend only such motor apparatus as has been tried and proven efficient under all conditions. After a complete investigation the following is recommended:

Recommendations.

It is recommended that approximately $200,000 be expended by this department for motor apparatus. If this sum is considered excessive the first three subsidiary recommendations involving the sum of $100,000 should he adopted. It is suggested that this sum might properly he transferred from the reserve.

The recommendations are:

First.— The replacement of all district chiefs' buggies and the huggies of the superintendent of repairs and the superintendent of fire alarm by automobile runabouts. This involves fifteen horses and huggies.

Second.— The replacement of the present two-horse wrecking wagon and the two-horse supply wagons of the Fire Alarm Branch and the Repair Division by automobile combination wagons which will be duplicates of the chemical hose wagons and will constitute reliefs for the same. This will involve three wagons and six horses.

Third.— The replacement of the entire chemical engine equipment by automobile chemical hose wagons. This involves ten chemical engines and twenty horses.

Fourth.— The replacement of thirteen ordinary hose wagons by automobile chemical hose wagons of sufficient capacity to service the high pressure system in future years if necessary. This involves thirteen wagons and twenty-six horses.

Fifth.— The replacement of four out of town ladder trucks by the same number of automobile ladder trucks. This involves four ladder trucks and twelve horses.

Sixth.— The replacement of two chemical engines by automobile ladder trucks. This involves two chemical engines and four horses.

Cost of Exchange.

This entire replacement involves the sale of eighty-three horses, twelve chemical engines, sixteen wagons, four trucks, and eighty-three harnesses. Computed at the following prices, which could no doubt be obtained in exchange for new apparatus, the following amount would be received:

Horses, 83 at $150	$12,450
Chemical engines, 12 at $500	6,000
Wagons, 16 at $100	1,600
Buggies, 15 at $50	750
Harnesses, 83 at $5	415
Ladder trucks, 4 at $500	2,000
	$23,215

The necessary equipment to replace this apparatus would cost:

Combination hose wagons, 26 at $5,000,	$130,000
Ladder trucks, 6 at $5,500.....	33,000
Runabouts, 15 at $1,750.....	26,250
	$189,250
	23,215
	$166,035

In order that the purchasing authority may have proper leeway for changes in plans, additions thereto, and changes in prices it would seem best to recommend that approximately $200,000 be made available for the carrying out of these recommendations.

Difference in Maintenance Expenditures.

To maintain one horse one year in the Boston Fire Department costs $250. This figure has been obtained by taking the approximate average expenditure for the maintenance of horses for the last five years. These expenditures are made up of bills for the following: Hay, grain, straw, shoeing, purchase and exchange of horses, harnesses and repairs, horse hire, attendants at hospital, medicines, etc.

There is considerable difficulty in estimating what would be the maintenance costs of motor equipment in this department. The maintenance costs of smaller cities and towns, in my opinion, are not reliable. They are based on smaller service mileage such as is not comparable with the work in Boston. Moreover, manufacturers of motor apparatus make many important repairs without cost at this time. It is reasonable to expect that later these repairs will not be free and will be numerous.

The cost of Motor Chemical 13 for this department for one year has been $338. This includes an expenditure of $100 for spare tires.

In my opinion the maintenance expenditures of motor chemical apparatus would not exceed $500, or the maintenance expenditures for horse-drawn apparatus. It is possible that the charges would be somewhat less than $500, but considering the increase in repairs as the car depreciates, the heavy cost of repairs resulting from accidents, and the high cost of maintenance of pleasure cars, and the uncertainty with respect to depreciation, I do not feel that it would be safe to estimate any material and sure saving in maintenance over horse-drawn apparatus. At the same time motor apparatus could unquestionably be maintained for not more than $500 per piece and there would probably be some saving.

It is not out of the question that this saving would amount to not less than $50 per horse, or $100 per team. In the case of the larger plan this would amount to $4,150 per year, or the interest on about $103,750 at 4 per cent. In the case of the smaller plan a saving of $100 per team would amount to $2,250 per year, or the interest on about $56,000.

It is apparent that the services of drivers, who are paid $1,200 per year, would be available with motor apparatus.

Gain in Efficiency.

First.—The speed of horses responding to an alarm is from 12 to 15 miles an hour under the best conditions. The automobile will cover more than twice this distance in the same time if necessary.

Second.—It can cover a long distance with the same speed as short ones.

Third.—It is back in quarters quicker than horses and ready to respond to another alarm.

Fourth.—The services of the driver of an automobile are available, which is not so with the driver of horses.

Dorchester, with its large area of wooden buildings, and West Roxbury, rapidly building up in the same manner, needs just such fire service as automobile chemical hose wagons can give. Their speed will enable them in the case of single fires to reach the fires quicker and extinguish it in its incipiency. In the case of larger fires they will be enabled to cover long distances at great speed, which will be necessary when flying sparks travel from roof to roof.

Application of the New Equipment.

The plans of this department contemplate the installation of motor apparatus in the following houses:

First.—Ten chemical engine companies.
Second.—Fifteen chief's buggies.
Third.—Three administration wagons.
Fourth.—Six out of town ladder trucks, to wit.: Ladders 27, 25, 16 and 6, and ladder trucks in place of Chemical Engines 5 and 6.
Fifth.—The installation of automobile hose tenders in the quarters of Engines 16, 17, 18, 19, 20, 28, 29, 30, 34, 37, 41, 45 and 46.

These wagons are to be built of a sufficient capacity to carry 1,000 feet of 3-inch hose, thereby making them available for service as high pressure wagons in the down-town district, if so desired in later years.

Smaller Plan.

If the sum of approximately $200,000 is considered beyond the means of the city for the present, I earnestly recommend that so much of the recommendations as involves the change of horse-drawn chief's buggies and chemical engines to motor driven be adopted. The smaller plan includes the first three recommendations with the exception that there will be twelve chemicals. The figures involved are:

Sale of present equipment:

Horses, 45 at $150.....	$6,750
Harnesses, 45 at $5.....	225
Buggies, 15 at $50.....	750
Wagons, 3 at $100.....	300
Chemical engines, 12 at $500.....	6,000
	$14,025

Cost of new equipment:

Runabouts, 15 at $1,750.....	$26,250
Chemical engines, 15 at $5,000.....	75,000
	$101,250

The differenee in maintenance, possible saving of $2,250 per year.

Estimated net sum for smaller plan, $100,000.

Not Recommended.

It has not seemed wise to recommend the purchase of gasolene pumping engines for the following reasons:

First.—It has not yet been proven that the gasolene pumping engine can maintain a capacity of seven hundred gallons per minute for a material length of time.

Second.—The purchase of these engines up to date have been in the nature of experiments. Boston, with its heavy fire risk, cannot afford to experiment in any large degree with the most important part of its equipment, the pumping engine.

Third.—No large city has as yet done more than buy an experimental gasolene engine.

Fourth.—It is very questionable as to whether a motor-drawn steam boiler, such as in service in New York, may not prove a more satisfactory type than the single piece gasolene pumping engine and hose cart.

It is possible that later a gasolene driven engine may be perfected that will pump with reliability over 700 gallons and which will also carry 1,000 feet of hose and ten men. For the present I am of the opinion that there is no such engine. Should it be developed, the economies possible will not be lessened by the adoption of these recommendations.

In my opinion the city should not proceed beyond the purchase of a single experimental engine which could be made from department funds.

On similar grounds no purchase of motor water towers or heavy ladder trucks should be made. Up to date there has been but one motor water tower in existence in this country, and that but a very short time. There are very few heavy motor ladder trucks. Considering the supreme necessity of maintaining the efficiency of these fire-fighting machines, as well as the pumping engines, it seems wise to delay any action with respect to this apparatus for the present.

Conclusion.

I desire to call your attention to the fact that this department has recommended only such

equipment as has heen tried and proven reliable. The proposed increase in efficiency will apply to a great extent to Dorchester and West Roxhury. These sections of the city will greatly benefit hy fast-moving chemical wagons. The recommendations have involved a sum of money which might justly he expended from the reserve if it is proposed to maintain the Fire Department of the city on an up-to-date hasis.

Per Capita Cost Comparison of Fire Departments.

The difference in the per capita cost of fire departments in the various leading cities of the country may be considered under four heads.

First.—The difference due to the variations in accounting.

Second.—The difference due to the distribution of the local population.

Third.—The difference in the first risk to be guarded against.

Fourth.—The difference due to topography.

The Difference Due to Variations in Accounting.

In the City of Boston it is customary to charge all the expenses arising from pensions, fire alarm service, and many permanent improvements, to the Fire Department appropriation, and thus to the per capita cost. This rule does not prevail in many other large cities,

For instance in the city of New York the receipts from foreign fire insurance taxes, special permits, licenses, etc., are credited to the relief and pension fund, and there is only a nominal charge to the fire department appropriation for pensions.

The expenses of the fire alarm in the cities of Chicago, Philadelphia, San Francisco and Washington are charged to a department of electricity; in the City of Boston this is charged to the Fire Department appropriation.

In the City of Boston it is customary to make permanent improvements out of the Fire Department appropriation. Houses are remodeled and additions are made to quarters which are charged to the Boston appropriation. Further it is customary to charge all apparatus to the Boston appropriation. In New York and Chicago the new apparatus is charged to separate loans. In New York there is a separate appropriation made for permanent improvements. I am also informed that new hose and horses are paid for from corporate loans. In Chicago, San Francisco, Philadelphia and Washington the fire alarm service is supported from funds other than those of the fire department.

Thus it would seem that there can be no fair comparison of expenses without a uniform method of accounting. This does not exist and therefore any comparison of the per capita cost is bound to be unjust until proper allowance is made.

The Difference Due to the Distribution of the Local Population.

The City of Boston, comprising some forty-two square miles, includes the mercantile district of the metropolitan area. The population inhabiting the metropolitan area, some 1,500,000, is henefited by the fire service rendered by the City of Boston to their mercantile estahlishments without tax. Moreover, the protection maintained by Boston is relied upon hy contiguous cities as available in case of conflagrations. Therefore it results that the benefits derived from the fire service in the immediate city extend throughout the metropolitan area.

I have statistics showing the cost of fire protection in the various cities and towns in the metropolitan district. The ratio of this cost to the metropolitan population shows a per capita cost of $1.88. This figure is the true per capita cost throughout the metropolitan area, and because of the distribution of the population and property it is not correct to consider Boston's per capita cost independently of this figure. On the other hand, if this figure is taken as an index of the cost of fire protection, it will he found to compare favorably with other American cities.

I desire to point out that the metropolitan per capita for fire protection of $1.88 compares very favorably with the metropolitan per capita for police protection of $2.20. I desire further to point out that the per capita cost of fire protection and police protection in the immediate city area is $2.41 as against $3.09. The high cost of providing for the puhlic safety is due not only to the fact that the public safety is well provided for, but also to the fact that the immediate city serves the metropolitan population and property.

The Difference in the Fire Risk to be Guarded Against.

The firerisk in the City of Boston is one of the heaviest in the world. The down-town district is covered with old second-class buildings. Structural conditions, occupancies and other conditions tending to produce a high conflagration hazard occur most noticeably in that section between Boylston and Merrimac streets, which consists of large area hlocks, with crowded and poorly accessible interiors. There are other areas ahout the district in which conditions are had and block fires are liable to occur. The narrow streets are of very little value in preventing the spread of fire. The prevailing direction of the winds subjects that portion of the district east of Washington street to exposure from fire in the more probable conflagration breeding section.

The conflagration risk outside the city proper is notorious. Charlestown is an admirahle example of condtions that afford the elements of a conflagration. On one side of the district is a row of hay and grain sheds; in the center are long rows of wooden buildings; and on the other side the lumber yards make excellent food for the start or finish of a second Chelsea. Fire protection of the highest order is an absolute necessity.

Conditions in Dorchester have been well descrihed as those of a lumber camp. Tinder-box construction prevails in wholesale quantities. This section faces a conflagration which some day will leave thousands of people homeless.

No such risks exist in the other leading cities of the country. This is due partly to their wise provisions with respect to the building limits. I call your attention to the following tahle with respect to these limits in the leading cities of the country.

TABLE OF BUILDING LIMIT AREAS IN THE LEADING CITIES OF THE COUNTRY.

City.	Population, 1910.	Area, Square Miles.	Fire Limits, Square Miles.
Pittshurgh (entire)	588,905	40.67	8.61
Old City		37.67	5.78 (1909)
Baltimore	588,485	31.65	15.2 (1909)
Boston	670,585	42.07	
		Land 38.5	4.02 (1905)
Philadelphia	1,549,008	129.58	68.0 (1905)
New York	2,410,250	21.93	*
Cincinnati	364,463	43.55	5.0 (1909)
Chicago	2,185,283	190.64	50.30 (1905)
St. Louis	687,029	61.37	31.45 (1905)

* Manhattan. Practically the entire area of the borough, 20 square miles.

Due to the fact that the fire risk in this city is heavier than in any of the other large cities it is necessary to maintain a stronger fire department.

DIFFERENCE DUE TO TOPOGRAPHY.

Boston is divided into five sections; four of these divisions are caused by extensive waterways. These sections are East Boston, South Boston, Charlestown, Brighton and the city proper. Owing to congestion at the bridges and ferries leading to these various sections, and the fact that the apparatus all comes from the same general direction, it would be impossible to concentrate quickly and properly a large amount of apparatus in case of a big fire. Therefore we must maintain independently strong protection for each of these separate sections mentioned. On account of this comparative isolation, it is also necessary to be cautious about depleting these districts of apparatus in case a large fire should occur in another section. Therefore it results that these districts, instead of being able to rely to a certain extent upon apparatus in contiguous districts, must be defended independently by their own apparatus and men, and a certain large percentage of this defence must be maintained at all times. This necessitates more apparatus and more men than would be necessary if we did not possess these independent sections.

CONCLUSION.

I desire to call your attention to the following table of ratios between fire department appropriations and total assessed valuations. You will see from this table that the City of Boston compares favorably with other cities of the country. This table shows Boston to be operated the fourth cheapest of the thirteen cities stated.

CITY.	Total Appropriation for Fire Department.	Assessed Valuation.	Ratio, 1–100 of 1 Per Cent.
New York	$8,153,542 40	$7,416,837,499	11.0
Chicago	3,001,158 99	2,524,699,600	11.5
St. Louis	1,104,823 49	855,872,300	12.9
Boston	1,582,390 36	1,393,765,432	11.3
Cleveland	902,420 00	875,000,000	10.3
Detroit	1,023,249 86	337,335,980	29.7
Buffalo	904,877 00	312,276,240	29.0
San Francisco	1,262,432 00	515,420,089	24.5
Milwaukee	720,000 00	247,573,150	29.6
New Orleans	424,832 00	230,840,937	18.4
Baltimore	1,582,289 40	698,135,168	22.7
Cincinnati	829,096 00	250,283,550	33.1
Washington	683,230 00	323,956,753	21.1

I desire, further, to call your attention to the following table showing the percentage of the general tax of the city which is used for the fire department appropriation. This table is an excellent one as far as statistics go, and again you will see that the City of Boston compares very favorably.

PERCENTAGE OF THE GENERAL TAX USED FOR THE MAINTENANCE OF THE FIRE DEPARTMENT.

(This table shows Boston to spend for fire protection relatively less of its general tax than seven out of ten leading cities tabulated.)

New York	04.2
Chicago	12.5
St. Louis	07.1
Boston	06.3
Buffalo	13.2
San Francisco	13.9
Milwaukee	09.5
New Orleans	14.5
Cincinnati	12.0
St. Paul	10.8

I desire, further, to point out that the administration of the Fire Department is being conducted as economically now as it was six years ago at the end of Commissioner Russell's term of office. The cost per fireman, exclusive of salaries and pensions, for the year 1910–11 was $302.92, and for the year 1904–05, the cost per fireman, exclusive of salaries and pensions, was $313.52. This figure includes repairs, maintenance, fire alarm service, etc., and is obtained by dividing the sum of the bills of the department by the number of department members.

Due to the heavy fire risk and the topography of the city it is necessary to maintain a strong fire department. Due to the local distribution of population and property the services of the department extend throughout the metropolitan area. These conditions, as well as variations in accounting, make a per capita comparison with other cities unjust unless proper allowance is made.

Referred to the Executive Committee.

PLAYGROUND, PARKER HILL.

The following was received:

City of Boston,
Office of the Mayor, August 22, 1911.

To the City Council:

Under date of June 26, 1911, I addressed a communication to your honorable body, recommending an appropriation of forty thousand dollars ($40,000) for Playground Accommodations in Ward 19. The chairman of the Board of Park Commissioners requests, in the accompanying letter addressed to Acting Mayor Collins, that the title of the original appropriation of sixty thousand dollars ($60,000) for a playground in the Parker Hill district be altered so that in case the second appropriation is made the two may be regarded as one sum and divided in accordance with the needs of the district, and not arbitrarily in accordance with the figures given in the separate appropriations. The request of the chairman seems to me a reasonable one, and I recommend the passage of the accompanying order, transferring the appropriation for Playground, Parker Hill, to an appropriation for Playground Accommodations, Ward 19.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Board of Commissioners of the
Department of Parks,
July 6, 1911.

Hon. Walter L. Collins,
Acting Mayor of Boston:

Dear Sir,—The Park Commission ask if you will request the City Council to so change the appropriation already made for $60,000 for a playground in the Parker Hill district that the money can be used together with the appropriation of $40,000 now under your consideration for the purchase of a playground in Ward 19.

Very truly yours,
ROBERT S. PEABODY, Chairman.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of sixty thousand dollars from the appropriation for Playground, Parker Hill, to an appropriation for Playground Accommodations, Ward 19.

Referred to the Executive Committee.

IMPROVEMENT OF GOVERNOR'S ISLAND.

The following was received:

City of Boston,
Office of the Mayor, August 22, 1911.

To the City Council:

At the meeting of your honorable body held July 17, 1911, the Special Committee on Use of Governor's Island reported itself as being "heartily in favor of the taking of this island for park and playground purposes." In my opinion the planting of the island with trees, the development of a portion of it as a playground, and the provision of facilities for access to it ought not to be delayed any longer. The communications from Major General Grant, referred to your honorable body at its meetings of February 20, 1911, and June 13, 1911, indicate an attitude of expectancy, if not impatience, on the part of the national authorities, owing to what they may not unreasonably regard as the procrastination of the City of Boston.

I recommend, therefore, the passage of the accompanying order, accepting the permission granted in the joint resolution of the Houses of Congress and approved June 5, 1902, as a preliminary to the passage of a special appropriation of twenty-eight thousand two hundred and twenty-five dollars ($28,225) to be expended by the Board of Park Commissioners for the improvement of the island.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That the following resolution be accepted and that his Honor the Mayor be authorized to notify the Major-General Commanding, Department of the East, of the intention of the city government of Boston to take advantage of the permission granted therein:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that the Secretary of War is hereby authorized to permit the City of Boston, in the State of Massachusetts, to improve and beautify Governor's Island, or a portion thereof, situated in said city and belonging to the United States, in connection with the mooring berths to be built adjoining said island, and to make such excavations and fillings and erect and maintain such structures as may be considered proper for the purpose; all upon plans to be previously approved by the Secretary of War: provided, that the permission given pursuant to this resolution shall not pass any right or title in said island, but shall be revocable at will by the Secretary of War, and the ownership of said island shall remain entirely in the United States, and it shall be subject to such uses for military or other purposes as the Secretary of War may at any time direct."

Referred to the Executive Committee.

LIGHTING OF PLAYGROUNDS.

The following was received:

City of Boston,
Office of the Mayor, August 16, 1911.

To the City Council:

I beg to transmit the accompanying statement from the Secretary of the Board of Park Commissioners, in reply to a request forwarded in compliance with your order passed at the meeting of June 26, to the effect that "the Park Commissioners be requested to furnish an estimate of what it would cost to properly light the various playgrounds, with special reference to Columbus Avenue and William Eustis Playgrounds and the Charlesbank, and whether the same could be done out of their present appropriation."

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Board of Commissioners of the
Department of Parks,
Jamaica Plain, Mass., August 11, 1911.

Hon. Walter L. Collins,
Acting Mayor of Boston:

Dear Sir—The Board has received the accompanying order of the City Council, requesting the Park Commissioners to furnish an estimate of what it would cost to properly light the various playgrounds, with special reference to Columbus Avenue and William Eustis Playgrounds and the Charlesbank, and whether the same could be done out of their present appropriation, and I am directed to say, in reply, that the Edison Company will install one arc lamp on Camden street, opposite Roosevelt street, and place three arc lamps on the streets bordering William Eustis Playground, without expense to the city, so that the installation will cost this department nothing. The cost of maintaining these lights will come under the Department of Public Works.

The Charlesbank is already very well lighted, except the girls' gymnasium and playground, which are closed at night, and are so well fenced in that there appears to be no need of any lamps there.

Yours respectfully,
GEORGE F. CLARKE, Secretary.

Placed on file.

EXHIBIT AT CHICAGO.

The following was received:

City of Boston,
Office of the Mayor, August 17, 1911.

To the City Council:

The accompanying letter from the temporary secretary of the Art Commission suggests an appropriation of three hundred fifty dollars ($350) for an exhibit at the Chicago International Municipal Congress and Exposition, September 18 to 30, inclusive. As only seven hundred six dollars and eighty cents ($706.80) of the appropriation of fifteen hundred dollars ($1,500), made earlier in the year for the exhibit sent to the Philadelphia Town Planning Exhibition, was expended, the expenditure suggested by the Art Commission would be merely the reappropriation of a part of a sum previously applied to a similar purpose. I recommend, therefore, the passage of the accompanying order, appropriating the sum of three hundred fifty dollars ($350) for an exhibit at the Chicago International Municipal Congress and Exposition, and providing that it be charged to the Reserve Fund.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Art Commission, August 16, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—We would like to have an appropriation of $350 for the purpose of making an exhibit to the Chicago International and Municipal Congress at Chicago, September 18 to 30, inclusive. The same collection is to be from material which was sent to Philadelphia City Planning Exhibition in May and June, with any possible additions that may be made by the commissioner.

Respectfully submitted,
ALEXANDER STEINERT,
Temporary Secretary of the City of
Boston Art Commission.

—

Ordered, That to meet the expenses of an exhibit at the International Municipal Congress and Exposition at Chicago, September 18 to 30, 1911, the sum of three hundred and fifty dollars ($350) be and hereby is appropriated, to be expended by the Art Commission under the direction of the Mayor, and charged to the appropriation for Reserve Fund.

Referred to the Executive Committee.

HOSPITAL AMBULANCE, EAST BOSTON.

The following was received:

City of Boston,
Office of the Mayor, August 21, 1911.

To the City Council:

In compliance with your order passed at the meeting of July 7, "That the City Hospital Trustees be requested to inform the City Council, at as early a date as possible, why the East Boston Relief Station is not equipped with an ambulance, and if the trustees did not agree some time ago to provide an automobile ambulance for said hospital," I beg to transmit the reply from the president of the Board of Hospital Trustees.

Respectfully,
JOHN F. FITZGERALD, Mayor.

The Boston City Hospital,
Boston, July 14, 1911.

Hon. Walter L. Collins,
Acting Mayor of Boston:

Dear Sir,—At a meeting of the Board of Trustees to-day, July 14, an order of the City Council was presented, "That the City Hospital Trustees be requested to inform the City Council, at as early a date as possible, why the East Boston Relief Station is not equipped with an ambulance, and if the trustees did not agree some time ago to provide an automobile ambulance for said hospital."

In reply, I have to say that on August 4, 1910, a letter was addressed to his Honor Mayor Fitzgerald, regarding this matter, which letter is on file at the Mayor's office. The conditions have not changed since that letter was written. To install the ambulance at East Boston will require one or more chauffeurs, at an expenditure of a large sum of money. The number of ambulance cases since the opening of the East Boston Relief Station on October 15, 1908, to July 30, 1910, was 705. The police ambulance has done this work in a satisfactory manner, and is always ready to respond at short notice. If there should be a casualty of a severe nature at East Boston, three or four ambulances from the City Hospital would be sent there immediately.

In view of the foregoing facts, the trustees do not feel justified, on their own responsibility, in placing in commission this ambulance for the exclusive use of the East Boston Branch where the demand is so light, and thus depriving the hospital of its service.

The ambulance was ordered against the advice of the trustees, because it was insisted upon that the demand justified the establishment of this service. The foregoing record shows that about one case a day covered the demand for ambulance service, and surely this is not a justification for an outlay of over $3,000 a year, when the needs are being met as well as they are at the present time by the police. Furthermore, the ambulance in question is now being used in the East Boston service in conveying patients from the East Boston Relief Station or from their homes to the Boston City Hospital.

The trustees desire to assure your Honor that the East Boston Relief Station has and will have at all times the best attention, both as to its efficiency and its service.

I have the honor to be, on behalf of the trustees,

Respectfully yours,
A. SHUMAN,
President Board of Trustees.

Placed on file.

TRANSFER FOR FOURTH STREET BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, August 18, 1911.

To the City Council:

In accordance with the recommendation of the Commissioner of Public Works, as contained in the letter attached hereto, I beg to recommend the passage of the accompanying order, transferring the sum of five thousand dollars ($5,000) from the appropriation for Chelsea Bridge North, and the sum of two thousand dollars ($2,000) from the appropriation for Albany Street Bridge to a special appropriation for West Fourth Street Bridge.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Public Works Department,
August 16, 1911.

To the Honorable the Mayor:

It has been found necessary to replank, this year, the whole of the West Fourth Street Bridge, an extensive job, costing about $7,000, which was not provided for in the regular maintenance appropriation of this department. The work will be done in cooperation with the New York, New Haven & Hartford Railroad Company which is responsible for the maintenance of the timber stringers and the ironwork of the bridge and whose officials find it necessary at this time to renew all of the stringers in the bridge on account of the decay of the old stringers. To meet the cost of this work I respectfully request that the following transfers, amounting to $7,000, be made:

From Chelsea Bridge North	$5,000
From Albany Street Bridge, reconstruction	2,000
	$7,000

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of five thousand dollars ($5,000) from the appropriation for Chelsea Bridge North, and two thousand dollars ($2,000) from the appropriation for Albany Street Bridge to a special appropriation, to be expended under the direction of the Commissioner of Public Works for West Fourth Street Bridge.

Referred to the Executive Committee.

APPROPRIATION FOR INFERIOR COURT COMMISSION.

The following was received:

City of Boston,
Office of the Mayor, August 16, 1911.

To the City Council:

The accompanying letter from the chairman of the Commission on the Inferior Courts of the County of Suffolk, with the certified copy of chapter 79 of the Resolves of the General Court of 1911 attached thereto, seems to make imperative an appropriation of two thousand five hundred dollars ($2,500) for the expenses of this commission.

I wish to recommend, therefore, the passage of the accompanying order, transferring this amount from the appropriation for Reserve Fund to the appropriation for County of Suffolk, Miscellaneous Expenses.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Commission of the Inferior Courts
of the County of Suffolk,
Courthouse, Boston, July 27, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Your Honor,—Under chapter 79 of the Resolves passed by the Legislature at its present sitting, a certified copy of which is herewith inclosed, a Commission on the Inferior Courts of the County of Suffolk has been appointed by his Excellency the Governor. Of this commission I have been designated chairman. The resolve provides that the commission "may expend in carrying out the provisions of this resolve a sum not exceeding $2,500, to be paid by the County of Suffolk."

On behalf of the commission I respectfully ask your Honor, at your earliest convenience, to take such steps as are necessary to make the appropriation available.

Respectfully yours,
WILFRED BOLSTER, Chairman.

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized, with the approval of the Mayor, to transfer the sum of two thousand five hundred dollars ($2,500) from the appropriation for Reserve Fund to the appropriation for County of Suffolk, Miscellaneous Expenses, in

order to pay the expenses of the Commission on the Inferior Courts of Suffolk County.

Referred to the Committee on County Accounts.

INVITATION TO CITY COUNCIL.

The following was received:

City of Boston,
Office of the Mayor, August 22, 1911.

To the City Council:

I take pleasure in transmitting the accompanying invitation from the Old Guard of the Gate City Guard of Atlanta, Ga., to the members of the City Council, asking them to participate in the dedication of a monument commemorating their "Mission of Peace" to the eastern states after the Civil War. The ceremonies will be held on the 9th, 10th and 11th of October, 1911, and the invitation, which bears the signatures of the Governor of Georgia and the Mayor of Atlanta, as well as representative citizens of that city, seems very worthy of careful consideration and such response as your sense of the proprieties of this occasion may dictate.

Respectfully,
JOHN F. FITZGERALD, Mayor.

(Annexed was invitation referred to.)

Referred to the Executive Committee.

BAND CONCERTS, DORCHESTER.

The following was received:

City of Boston,
Office of the Mayor, August 21, 1911.

To the City Council:

I beg to transmit a communication from the secretary of the Music Department, replying to an order passed by your honorable body at its meeting of July 7, to the effect "that the Music Trustees be requested, through his Honor the Mayor, to give one or more band concerts during the present summer at Moody's corner, Dorchester."

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston, Music Department,
Office of the Trustees, August 21, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—I beg to notify you that the petition signed by citizens in the vicinity of Moody's corner, Dorchester, and the subsequent order passed by the City Council on July 7, 1911, a copy of which is attached herewith, "that the Music Trustees be requested, through his Honor the Mayor, to give one or more band concerts during the present summer at Moody's corner, Dorchester" has been referred to the trustees, and I am instructed to say that owing to the condition of our finances we will find it impossible at this time to meet the request.

During the season nine concerts will be given at Franklin Park and nine evening concerts in the various centrally located sections of Dorchester. Together with the five concerts given on Dorchester Day the total number of concerts given the Dorchester district will total twenty-three. Owing to the extra expense to this department on Dorchester Day and the decrease in the annual appropriation, we have found it impossible to meet several of these requests during the present season which have been granted in the past.

The petition will be kept on file and a concert may be arranged for at this location next season.

Very truly yours,
WALTER L. FINIGAN, Secretary.

Placed on file.

TRANSFER FOR MYSTIC AVENUE BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, August 21, 1911.

To the City Council:

I beg to transmit the accompanying letter from the Commissioner of Public Works, requesting that a special appropriation be made amounting to six thousand seven hundred twenty dollars and seventeen cents ($6,720.17) for Mystic Avenue Bridge. As the commissioner explains, this is the proportion which the City of Boston must pay for rebuilding this bridge in accordance with the report of a special commission, dated July 9, 1909. The decision of the Railroad Commissioners, ordering alterations and the rebuilding of the bridge, dated March 16, 1909, and the report of the apportionment commission which determined that Boston should pay 10 per cent of the cost, are attached hereto for your information. I recommend the passage of the accompanying order.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Public Works Department,
August 16, 1911.

To the Honorable the Mayor:

I respectfully request that a special appropriation be made, amounting to $6,720.17, for Mystic Avenue Bridge. This is the proportion of the City of Boston for rebuilding Mystic Avenue Bridge from Boston to Somerville, in accordance with report of special commission, dated July 9, 1909, being 10 per cent of the entire cost. As this is an extraordinary expense for which no provision was made at the time the annual appropriations were made, the above special appropriation is asked for.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

(The communication from the Railroad Commissioners was annexed.)

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of six thousand seven hundred and twenty dollars and seventeen cents ($6,720.17), to be expended under the direction of the Commissioner of Public Works for Mystic Avenue Bridge.

Referred to the Executive Committee.

TRANSFER FOR DOVER STREET BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, August 21, 1911.

To the City Council:

I beg to transmit a communication from the Commissioner of Public Works, with a letter from the division engineer of the Bridge and Ferry Division appended, requesting that the sum of two thousand three hundred twenty dollars and sixty-two cents ($2,320.62) be transferred from the appropriation for Albany Street Bridge, and the sum of two thousand five hundred dollars ($2,500) from the appropriation for Summer Street Bridge to the appropriation for Dover Street Bridge. As the division engineer explains, these balances can well be spared from the objects to which they were originally applied and are needed to meet certain unexpected contingencies in the work of the Dover Street Bridge. I recommend the passage of the accompanying order.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Public Works Department,
August 19, 1911.

To the Honorable the Mayor:

I respectfully call your attention to the attached letter of Division Engineer Fay regarding the Dover Street Bridge, and would respectfully request that the transfers asked for be granted.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

City of Boston,
Public Works Department,
Bridge and Ferry Division,
August 18, 1911.

Mr. L. K. Rourke,
Commissioner of Public Works:

Dear Sir,—In the progress of the repair work at Dover Street Bridge it has been found necessary to do certain work not provided for by the special appropriation, namely, to provide an entire new floor to the draw span, to repair the concrete draw pier which has been damaged by the action of sea water, and to make extensive repairs to the roadway gates, the cost of this additional work being approximately $4,800.

I respectfully request that the sum of $2,320,62 be transferred from the appropriation for the Albany Street Bridge and the sum of $2,500 trans-

ferred from the appropriation for the Summer Street Bridge to the appropriation for the Dover Street Bridge to cover the cost of this additional work.

In explanation of these transfers, I would say that I have already requested the transfer of $2,000 from the Albany Street Bridge appropriation to the special appropriation for the West Fourth Street Bridge and the sum named above is the balance of the Albany Street Bridge appropriation. In making the repairs at Summer Street Bridge it has been found possible to effect a saving of, approximately, $2,500 by making certain changes in the design of that structure so that this sum can be spared from that appropriation.

Respectfully,
FRENERIC H. FAY,
Division Engineer.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of two thousand three hundred and twenty dollars and sixty-two cents ($2,320.62) from the appropriation for Albany Street Bridge and the sum of two thousand five hundred dollars ($2,500) from the appropriation for Summer Street Bridge to the appropriation for Dover Street Bridge.

Referred to the Executive Committee.

REMOVAL OF PARK WALL.

The following was received:

City of Boston,
Office of the Mayor, August 21, 1911.

To the City Council:

In compliance with your order passed at the meeting of June 26, "That the Park Commissioners be requested to report upon the advisability of removing the wall now bounding Franklin Park on Seaver street, and also whether the Boston Elevated Railroad would bear the expense," I beg to transmit the communication received from the chairman of the Board of Park Commissioners.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Board of Commissioners of the
Department of Parks,
Jamaica Plain, Mass., July 17, 1911.

Hon. Walter L. Collins,
Acting Mayor of Boston:

Dear Sir,—The Park Commission herewith returns an order from the City Council relating to a wall on Seaver street. I would say that the commission is decidedly of the opinion that it is against the interests of the park that this wall should be removed. We have no means of knowing whether the Boston Elevated Railroad would bear the expense.

Yours truly,
ROBERT S. PEABODY, Chairman.

Referred to the Executive Committee.

FILLING IN OF RESERVOIR.

The following was received:

City of Boston,
Office of the Mayor, July 22, 1911.

To the City Council:

In compliance with the order passed by your honorable body at its meeting June 26, 1911, to the effect "That the Commissioner of Public Works, through his Honor the Mayor, report as to the cost of filling the reservoir in East Boston, situated at Brooks and White streets, known as 'Eagle Hill Reservoir,' in a suitable manner for playground or park purposes," I beg to append a statement received from the Commissioner of Public Works informing me that "Until the metropolitan 30-inch main recently laid through Marginal street, etc., southwesterly to Chelsea street, is extended to the junction of Broadway and Williams street, it is not considered safe to abandon the 'Eagle Hill Reservoir,'" and giving the estimate required in case this abandonment should ultimately be made and the reservoir leveled to grade.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Public Works Department,
July 20, 1911.

To the Honorable the Acting Mayor:

In accordance with inclosed order of the City Council, dated June 26, 1911, requesting an estimate of the cost of filling the reservoir at East Boston, known as "Eagle Hill Reservoir," situated at Brooks and White streets, you are respectfully informed that until the metropolitan 30-inch main recently laid through Marginal street, etc., southwesterly to Chelsea street, is extended to the junction of Broadway and Williams street, it is not considered safe to abandon the "Eagle Hill Reservoir."

The estimated cost of grading this reservoir is as follows:

118,000 cubic yards of filling at 80 cents, $94,400.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

Placed on file.

APPROPRIATION FOR PENSIONS.

The following was received:

City of Boston,
Office of the Mayor, August 17, 1911.

To the City Council:

Acting under a ruling of the City Auditor, I have recommended the passage of a series of orders appropriating sums sufficient to provide pensions, under the authority of chapter 113 of the Acts of 1911, for individual employees in the Water Service of the Sewer and Water Division of the Department of Public Works, and charging these amounts to the Reserve Fund.

Other applications for retirement under this act have been filed by laborers in that service, and have been approved by the Commissioner of Public Works and myself. To obviate the inconvenience of a separate order in each case, I have drafted the accompanying general order, which provides that these pensions shall be charged in all instances to the Reserve Fund, and recommend its passage by your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That a sum sufficient to provide pensions under the authority of chapter 113 of the Acts of 1911 for such employees of the Water Service of the Sewer and Water Division of the Department of Public Works as may be entitled to them be and hereby is appropriated, and that the said appropriation be charged to the Reserve Fund.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

St. Stephen's Church, to be repaid the amount of repairs on clock on said church.

Hugh Crossen, to be paid $85.50 for loss on account of injuries received while employed in the Public Works Department.

Patrick A. Dolan, to be paid $61.12 for loss on account of injuries received while in the employ of the Public Works Department.

Hannah Johnson, to be paid for damage to clothing splashed with mud and oil from the street by an automobile.

John H. Kenney, for compensation for damage to team by a runaway hose wagon of the Fire Department.

Helen F. Yeaton, for compensation for injuries caused by an alleged defect on the Kenwood street side of 564 Washington street, Ward 20.

Increase S. Burrell, for compensation for personal injuries caused by an alleged defect in the highway at 2 Eden street.

Emma J. Goodwin, for compensation for injuries caused by an alleged defect in Washington street, near southeast corner State street.

Albert Freidberg, for compensation for injuries caused by an alleged defect in sidewalk between Nos. 223 and 225 North street.

Mrs. Marple, for compensation for injuries caused by an obstruction in Columbia road.

Sigmund Singer, for compensation for damages by overflow of water at 8 Mayo place.

T. J. Collins Furniture Company, for compensation for damage to property at 53–55 Portland street by backing up of sewer.

Forest Hills Storage and Warehouse Company, for compensation for damage to property at corner of Call and Keyes streets by overflow of sewer.

Timothy J. Cunohan, for compensation for damage to premises 45 Stanwood street, Roxbury, from flooding of cellar.

Frank A. Griffin, trustee, for compensation for damages at 20 Woodlawn street from flooding by surface water.

Mrs. Mary A. Donahoe, to be paid for damages to estate 136 M street by the branches of a tree.

C. Goldberg, for compensation for damages at 25–27–29 Lauriat avenue by overflow of sewer.

A. J. Goldberg, for compensation for damages at 25–27–29 Lauriat avenue by overflow of sewer.

William H. Breen, for compensation for damage to property at 1 City square by overflow of water main.

Mary O'Connell, for a hearing on her claim on account of injuries received on Antrim street, May 1, 1911.

Smith Brothers, for compensation for injuries to horse by an alleged defect in Atlantic avenue, near Oliver street.

Executive.

Petitions for sidewalks were received, as follows:

(Brick.)

Mrs. Catherine Fitzgerald, 2 Gore street, Ward 19.

Mrs. Hannah Martin, 210–212 Heath street, Ward 19.

M. Maynes, 347 Adams street, Ward 20.

(Brick with Granite Edgestone.)

Ferdinand Salerno, 217 Marion street, Ward 2.

Sam Lishner, 196 Paris street, Ward 2.

Coleman Sullivan, 865 East Second street, Ward 14.

D. J. Meller, 40 Brookfield street, Ward 16.

Edward P. Smith, 41 Brookford street, Ward 16.

Mark J. Crehan, 42 Brookford street, Ward 16.

Edward J. Harrigan, 43 Brookfield street, Ward 16.

James F. Sullivan, 25 Sunnyside street, Ward 22.

(Artificial Stone with Granite Edgestone.)

J. F. Sullivan, 753 Saratoga street, Ward 1.

Trustees of the Boston Real Estate Trust, Commercial, Clark and North streets, Ward 6.

D. Milton, 52 Allen street, Ward 8.

Boston Elevated Railway Company, Lowell, Causeway and Billerica streets, Ward 8.

W. J. Grosvenor, 183 Pleasant street, Ward 10.

James M. Rothwell, 549–551 Boylston street, Ward 11.

Whitcomb & Kavanagh Company, 71 Brimmer street, Ward 11.

C. M. Mowatt, 117 Centre street, Ward 20.

William B. Sherman, 37 Grampian way, Ward 20.

R. G. Crosby, 10 Morrill street, and 39–41 Pleasant street, Ward 20.

Mark Harris, 55, 59, 63, 67, 71 Nightingale street, Ward 20.

A. C. Quincy, 1 Waldeck street, Ward 20.

Henry McLellan, 29–31 Bainbridge street, Ward 21.

Eliot Street Trust, 129 Eliot street, Ward 21.

Peter B. Siegel, Glendale street, corner Columbia road, Ward 20.

Silverman & Shipiro, 28–46 Hollander street, Ward 21.

Nathan Berkowitz, 218–224 Humboldt avenue, Ward 21.

A. Rosenberg, Montana street side of 68 Elm Hill avenue, Ward 21.

J. Newman *et al.*, 16 Seaver street, Ward 21.

Dr. J. F. Ford, Walter street, corner Hewlett street, Ward 23.

G. L. Davidson, 17 Alban street, Ward 24.

Henry J. Boden, 1405–1408 Blue Hill avenue, Ward 24.

George N. Douse, 29–31 King street, Ward 24.

R. J. Perry, 308 Norfolk street, and on Corbet street, Ward 24.

Henry C. Towle, 28 Draper street, Ward 24.

William W. Smith, 75 Milton avenue, Ward 24.

A. A. Page, 800–802 Norfolk street, Ward 24.

C. W. Stiles, 38 Wrentham street, Ward 24.

Robert G. Jones, 382–386A Cambridge street and 1–5 Harvard street, Ward 25.

Minnie C. Falvey, 71 Strathmore road, Ward 25.

Maria Waul *et al.*, for edgestones on Walden street, Roxbury.

Petitions for licenses to sell, rent, or lease, firearms, viz.:

Needle Brothers, 38–40 Pleasant street, Ward 4.

Alphonso Rogers, 3 Prince street, Ward 4.

Louis Kabatchnick, 150–152 Main street, Ward 5.

Bernard H. Goodrich, 4 Portland street, Ward 6.

Morris Benjamin, 67 Eliot street, Ward 7.

Theodore Rothe, 57 Warren street, Ward 18.

MINORS' LICENSES.

President COLLINS submitted a report on petition for minors' licenses, recommending that licenses be granted to fifty-six newsboys, eighty-seven bootblacks and sixty-seven venders.

Licenses were granted on the usual conditions.

COAL AND COKE LICENSES.

Copies of coal and coke licenses, granted by the Secretary of the Commonwealth, were received.

Placed on file.

STORAGE OF EXPLOSIVES.

Notices were received from the following-named persons of keeping of explosives at the following-named locations, and of intention to use said premises for same purpose for the ensuing year, viz.:

John D. McPherson, 336 Freeport street, Ward 20.

Franklin Square Auto Company, 51–55 Mystic street, Ward 12.

Walter H. Collins, 51 Tonawanda street.

William E. Wilde, 42 Charles street, Ward 20.

William Read & Sons, 107 Washington street, Ward 6.

William G. Seavey, 616 Blue Hill avenue.

Standard Oil Company of New York, Chelsea street, East Boston.

The same company, 250 Freeport street, Ward 24.

The same company, 6–8 Custom House street.

Placed on file.

ALTERATION OF LOCATIONS, ETC.

Copies of orders were received from the Street Commissioners granting the West End Street Railway Company the right to alter locations, etc., viz.:

Alteration of location on Centre street, from Green street to Seaverns avenue, 353d location.

Alteration of location on Dudley street, from Magazine street to Upham's corner, 354th location.

Alteration of location on Neponset avenue, 355th location.

Additional curve track on Washington street, south of Lotus place, 356th location.

Ordered printed and placed on file.

TAKING OF LAND.

A plan and descriptions of two parcels of land taken by the Old Colony Railroad Company at Butler and Huntoon streets, supposed to belong to the heirs of James Pope and heirs of Sarah L. Pope, was filed with the City Clerk July 24, 1911.

Placed on file.

FREE TRANSFERS, SOUTH STATION.

A communication was received from the Railroad Commissioners, approving of the establishment of free transfers at the South Station in Boston, on the application of the Boston Elevated Railway Company.

Placed on file.

APPROVAL OF LOCATIONS, ETC.

Notices were received from the Railroad Commissioners approving of the elevated structure of the Boston Elevated Railway Company from Causeway street to Lechmere square, East Cambridge, and approving of use of tracks by the Old Colony Street Railway Company on Neponset avenue to transport freight, etc.

Placed on file.

NOTICES OF HEARINGS.

Notices were received from the Railroad Commissioners of hearing on August 1, on petition of the Boston Elevated Railway Company, for approval of elevated structure from Causeway street to East Cambridge, and hearing on August 15 on proposed changes at Sullivan square, etc., on structure of Boston Elevated Railway Company.

Notice was received from the Railroad Commissioners of hearing on July 25, on petition of Old Colony Street Railway Company, for approval of use of tracks on Neponset avenue for transportation of freight, etc.

Placed on file.

NOTICE OF INTEREST.

Notice was received from Penal Institutions Commissioner, Fred S. Gore, of interest in Fred S. & A. D. Gore Corporation which has contract for paving Hindsale street.

Notice was received from Councilor Timothy J. Buckley of employment as instructor in evening school.

Placed on file.

RAILROAD POLICE.

Notice was received from the Police Commissioner of appointment of John A. MacNeil by the Boston, Revere Beach & Lynn Railroad Company as a railroad police officer.

Notice was received from the Boston, Revere Beach & Lynn Railroad Company that Patrick J. Vinard is no longer employed as police officer.

Placed on file.

APPOINTMENT OF CHILDREN'S TRUSTEE.

Notice was received from the Mayor of the appointment of James J. Bacigalupo as trustee for children, a certified copy of same being delivered to the Civil Service Commission on August 19, 1911.

Placed on file.

FIRE PROTECTION.

The following was received:

Boston Finance Commission,
410–416 Tremont Building,
Boston, August 16, 1911.

To the Honorable the Mayor and City Council:

Gentlemen,—The Finance Commission respectfully submits the following report upon the subject of fire protection in the City of Boston:

I. Existing Conditions.

The bulk of Boston's large business is conducted in a section of the city where the fire hazard is very large. The streets in the business district are so narrow as to be of little value as barriers against fire; and many of the buildings are old, with little or no fireproof material in their construction, and without proper facilities for access by the Fire Department. Fires in this district are almost invariably attended with serious losses. A conflagration would be certain to cause tremendous financial loss, and might cause a temporary paralysis of business during which the entire community would suffer.

In many residential sections of the city entire streets present a solid front of dwellings made of what has been properly styled "tinder box" construction. Dorchester is the most conspicuous example, but similar conditions are found in the other residential sections. There are exceptional fire hazards in East Boston and Charlestown, due partly to dwelling houses of this type, partly to the presence of factories, lumber yards, railroad sheds and wharves, and partly to the fact that apparatus sent from other parts of the city to give relief may be delayed on the bridges or ferries over which most of the assistance to the local fire companies must come.

The large area outside of "the building limits" in Boston, that is, outside the limits within which the erection of wooden buildings is prohibited by law, adds greatly to the fire risk. Figures submitted by the Fire Commissioner show that in the seven cities of the United States which have the largest population the percentage of the area of the building limits to the total city area is the lowest in Boston. The area within the building limits in Pittsburg is over one-fifth of the total area, in Chicago it is over one-fourth, in Baltimore nearly one-half, in St. Louis and Philadelphia over one-half, and in New York practically the whole area is included within the building limits. In Boston, however, less than one-tenth of the total area is within the building limits. All things considered, Boston's fire risk is one of the heaviest in the large cities of the United States.

The Fire Department is entirely capable of handling ordinary fires. It has sufficient apparatus of its kind, and it is kept in good condition. It is generally admitted that the firemen are well equipped physically and mentally and that the officers are experienced and able. The Fire Commissioner is conducting the affairs of the department intelligently and faithfully.

The department, however, is not as well equipped as it should be for dealing with extraordinary fires. Any such fire, under existing circumstances and with unfavorable weather conditions, might result in a disastrous conflagration. In order to deal promptly and effectively with the larger and more dangerous fires, the department should have in every company a sufficient quota of men available for immediate duty and an adequate equipment of the best modern fire apparatus. In these two essentials the department is lacking and to this is due largely the lack of sufficient protection against fire in Boston.

II. Recognized Need of Better Protection.

That Boston needs better fire protection is not a new discovery; it has been known for a long time by the city authorities, by insurance officials and by the citizens generally. A year ago the Mayor, vividly impressed with the lessons of the Albany street fire, called the attention of the Chamber of Commerce and of the Finance Commission to the lack of sufficient fire protection, and invited these bodies to investigate and report on several phases of the situation; at about the same time he also appointed a special commission to study the defects in the building laws, with the intention of submitting a bill remedying such defects to the incoming Legislature; and these various bodies made the requested investigations and reports.

The Fire Commissioner and the local and national boards of fire underwriters fully recognized the need of better protection against fire, and made certain definite recommendations for improvement. The citizens generally recognized the need of decreasing the fire hazard and of increasing the efficiency of the Fire Department; and their views were reflected in the columns of the newspapers, which appreciated the existing dangers and joined in the general demand for their abatement.

One of the greatest needs, according to the underwriters, the Fire Commissioner, and all persons familiar with conditions in the Fire Department, was the appointment of additional firemen. The Fire Commissioner on April 11, 1911, wrote to the Mayor requesting an appropriation of $75,000 to cover the salaries and expenditures of additional firemen. In this letter the commissioner quoted a report of the National Board of Fire Underwriters on the Fire Department of the City of Boston as follows:

"The fire force, while nominally strong, is seriously weakened by the allowance of time off under the present arrangements; even companies in the most important districts are often reduced to four or five men in quarters during eleven out of twenty-four hours. At such times, companies responding to fires must assist one another, with a loss of valuable time at the most critical stage. This is the most serious deficiency of any pertaining to the department and demands immediate

attention. The number of men in each company should be increased, or at least provision made for relief men to take the places of all members on vacation, sick and special leave or details and in some cases for those on days off.

"Members are allowed two meal periods of two hours or three of one and one-quarter hours daily, one day off in five and fourteen days' annual vacation. These with the details, sick leaves, etc., reduce the fire force during eleven and one-half hours each day to about one-half and in many instances less than one-half of the total membership."

The Fire Commissioner also shows in the same letter that in vacation months, May to November, engine and ladder companies requiring thirteen and fourteen men sometimes have only five; companies requiring nine or twelve men sometimes have only four; and companies requiring seven and eight sometimes have only three men. (See minutes of City Council, 1911, pages 271, 272.)

The Finance Commission on March 22, 1911, recommended the appointment of fifty additional firemen, the number which the Fire Commissioner then estimated to be absolutely necessary; and since that time practically nothing has occurred to lessen the necessity for the recommended increase in the force.

III. Failure to Improve Conditions.

Notwithstanding the recognized need for improvement, and the various recommendations made as a result of the investigations requested by the Mayor, practically nothing has been accomplished in the last year except the authorization of a high pressure water service, which is to be installed in the business district. When this service is completed it will greatly strengthen the city's fire-fighting facilities, but it does not help the present situation in the slightest degree. The Legislature defeated the attempt to strengthen the building laws, the department force has not been increased as requested, and the situation is practically the same as it was a year ago when the Mayor called public attention to the pressing need of greater protection against fire.

IV. The Causes of the Shortage of Firemen.

Though the failure to increase the number of firemen in the past year was due to the non-action of the present Mayor and City Council, the primary cause of the shortage was due to the action of previous city governments. As pointed out in the report of the National Board of Fire Underwriters, the allowances for time off and for meal hours has greatly weakened the department force. Prior to December, 1905, such allowances were governed by the department regulations and were controlled by the head of the department; but in that year control of the allowances for time off, and in 1909 control of the allowances for meal hours, was taken away from the Fire Commissioner and both matters were regulated by ordinance.

Politics was the moving cause of both these transfers of the Fire Commissioner's power to regulate the hours of labor in his department, and of the resulting shortage of firemen available for duty. Thus, as a result of the bidding for firemen's votes by rival candidates for the Democratic nomination for Mayor in the fall of 1905, the firemen were given by ordinance one day off in five instead of one day off in eight as previously given under the regulations of the department. (See Ordinances of 1905, chapter 4.) This action was taken against the Fire Commissioner's protest that the force would be reduced below the actual needs of the service. Likewise, in the desire to secure the political support of the firemen, the 1909 ordinance was passed, requiring that the members should be allowed for meals each day "either three periods of one hour and fifteen minutes each, or two periods of two hours each." This ordinance superseded the department's regulation giving the members an hour for each of three meals a day. (Ordinances of 1909, chapter 11.) This second instance of mischievous meddling with the internal affairs of the department was opposed by the Fire Commissioner, as shown by the following letter:

Headquarters Fire Department.
Boston, December 26, 1908.

John T. Priest, Esq., City Clerk,
City Hall, Boston:

Dear Sir,—In reply to your letter of December 22, stating that the Board of Aldermen requests my opinion in regard to the inclosed ordinance, I am opposed to such an ordinance, which I believe would impair the efficiency of this department, and, in my opinion, is not essential to the welfare of the men.

Yours very truly,
S. D. Parker, Commissioner.

The ordinance was vetoed by Mayor Hibbard, but was passed by the City Council over his veto.

V. Remedies for Existing Defects.

1. There is urgent need for amending the building laws and for extending the area of the present building limits, and an effort should be made to procure suitable legislation in these particulars.

2. There is an obvious need of increasing the fire fighting facilities of the department, so as to get more men and more apparatus more quickly to a fire than is at present possible. In fire fighting, as in war, success often turns upon getting the largest force in the quickest time to a given point. The Finance Commission believes that the appointment of fifty additional firemen would afford some relief for the present situation; but it thinks this is not all that is required. Means must be provided which will enable the men to get to the fire quicker than is possible with horse-drawn apparatus such as is now used in the department. At the request of the Finance Commission, the Fire Commissioner has made a study of the relative cost and efficiency of horse-drawn and motor apparatus, and has submitted a report with his recommendations, a copy of which is hereto annexed. He recommends that the department be authorized to expend $200,000 for the purchase of the following motor apparatus:

First.—Fifteen automobile runabouts to replace fifteen horses and fifteen buggies now used by the districts chiefs, the superintendent of repairs and the superintendent of the fire-alarm branch.

Second.—Three automobile combination wagons to replace six horses, one wrecking wagon and the two supply wagons of the fire-alarm branch and the repair division.

Third.—Ten automobile chemical hose wagons to replace twenty horses and ten chemical engines.

Fourth.—Thirteen automobile chemical hose wagons (of sufficient capacity to "service" the high system in future years if necessary) to replace twenty-six horses and thirteen ordinary hose wagons.

Fifth.—Four automobile ladder trucks to replace twelve horses and four out-of-town ladder trucks.

Sixth.—Two automobile ladder trucks to replace four horses and two chemical engines.

The amount recommended by the Fire Commissioner ($200,000) is about $34,000 more than his present estimate of the cost of the new motor apparatus minus the amount which would be received in exchange for the old equipment; but he believes that it would be better to make an appropriation of $200,000, so as to leave sufficient margin for differences between his estimates and prices that might be offered and also for changes in or additions to his plans. As the estimated net cost is $166,035, the Finance Commission, however, believes that if $175,000 be appropriated a sufficient margin will be afforded.

The plan would involve a large capital expenditure which could be justified only by a large increase in the efficiency of the department. The Fire Commissioner believes the expenditure would be justified by the large gains in efficiency. These gains he sets forth as follows:

First.— The speed of horses responding to an alarm is from twelve to fifteen miles an hour under the best conditions. The automobile will cover more than twice this distance in the same time if necessary.

Second.— It can cover a long distance with the same speed as short ones. This is impossible with horses.

Third.— It is back in quarters quicker than horses and ready to respond to another alarm.

Fourth.— The services of the driver of an automobile are available, which is not so with the driver of horses.

The Fire Commissioner does not include in the prospective purchase of motor apparatus gasolene pumping engines, motor water towers or heavy motor ladder trucks, but confines his recommendations to such apparatus as seem to him clearly to have passed the experimental stage and to have demonstrated its utility in actual service. He is also certain that his plans can be executed without difficulty in regard to the housing and repair of the new apparatus, or the storage of gasolene, the

department's resources being sufficient, in his opinion, to provide for these details; and he expects no difficulty in training the present drivers of horses to run the automobile apparatus.

The saving in maintenance resulting from the substitution of motor for horse-drawn apparatus would be at least as much as the Fire Commissioner estimated in his report to the Finance Commission, dated August 8, 1911, namely, at the rate of $50 for one-horse apparatus and $100 for two-horse apparatus, and probably would be more, as the Fire Commissioner's estimate does not include the cost of repairs of horse-drawn apparatus. Against the saving in maintenance, however, there should be set off the larger capital charges of motor apparatus, distributed over the years of the life of such apparatus, as it costs considerably more than horse-drawn apparatus. If motor apparatus were to be substituted for new horse-drawn apparatus, the total annual increase in expenses would not, in the opinion of the Finance Commission, exceed $20,000, and probably would not exceed $15,000; but the horse-drawn apparatus is not new, and much of it would soon have to be replaced at all events, therefore the above estimates of increased expenditures should be somewhat reduced. Assuming, however, that the increase may be as high as $20,000 a year, the Finance Commission believes it would be entirely justified by results. The department could utilize for service at fires the forty-seven drivers of the new motor apparatus, whereas the service at fires of the drivers of horse-drawn apparatus is forbidden by the department rule requiring such drivers to stand by their horses, and is in fact seldom utilized. This additional service alone would seem to justify the proposed increase in expenses; but when the greatly increased efficiency of the department as a whole is considered, the Finance Commission thinks there can be no doubt whatever of the wisdom of the proposed change.

3. The Fire Commissioner should have greater control over his department than he has at present. He should not be hampered by the political activity of the firemen's organization, exercised either in the Legislature, in the City Council, or with the Mayor; nor by the inelasticity of such ordinances as regulate the time off or the meal hours of the firemen. These ordinances should be repealed so as to restore his authority to regulate the internal affairs of his own department.

The Finance Commission recommends:

1. A renewal of the efforts to secure legislation amending the building laws and extending the building limits.

2. That the Mayor and City Auditor, acting under section 3 of chapter 486 of the Acts of 1909, transfer from the Reserve Fund to the appropriation for the Fire Department the sum of $193,000 to be used for the following purposes, viz.: $18,000 for the salaries for the remainder of the present fiscal year of fifty additional firemen, and $175,000 for the purchase of the motor apparatus recommended by the Fire Commissioner; or that the Mayor and City Council appropriate from the Reserve Fund, or from taxes, the sum of $193,000 for the said purposes. It has been customary to provide fire apparatus out of taxes instead of by loans, and the established practice should be followed in this instance. The fact that the apparatus is of the motor instead of the horse-drawn kind furnishes no reason for changing the established financial policy in this respect.

3. Chapter 4 of the Ordinances of 1905 and chapter 11 of the Ordinances of 1909, which regulate the time off and meal hours, respectively, of the firemen, should be repealed, so as to restore the Fire Commissioner's authority over this department.

Respectfully submitted,
THE FINANCE COMMISSION,
by JOHN A. SULLIVAN,
Chairman.

APPENDIX.

REPORT OF THE FIRE COMMISSIONER TO THE FINANCE COMMISSION.

City of Boston,
Headquarters Fire Department.
August 8, 1911.

Re Motor Apparatus.

Finance Commission,
Tremont Building, Boston, Mass.:

Gentlemen,—This department has made a careful study of changing its horse-drawn apparatus to that of motor-driven type. The present equipment of the Boston Fire Department has proven up to date an efficient fire stop for both down town and out of town fires. Any replacement of this apparatus necessitates changing from sure protection to untried apparatus whose efficiency under trying conditions may prove problematic. When it is considered that the value of the property protected is $1,400,000,000 and the number of people served is approximately 1,000,000 the seriousness of any change from present satisfactory conditions can be fully realized. No large city has as yet adopted any material amount of motor apparatus. Small cities, where the conflagration risk is neglected and economy is the essential item, are its chief exponents. It has therefore been considered wise to recommend only such motor apparatus as has been tried and proven efficient under all conditions. After a complete investigation the following is recommended:

Recommendations.

It is recommended that $200,000 be expended by this department for motor apparatus. If this sum is considered excessive the first three subsidiary recommendations involving the sum of $100,000 should be adopted. It is suggested that this sum might properly be transferred from the reserve.

The recommendations are:

First.—The replacement of all district chief's buggies and the buggies of the Superintendent of Repairs and the Superintendent of Fire Alarm by automobile runabouts. This involves fifteen horses and buggies.

Second.—The replacement of the present two-horse wrecking wagon and the two two-horse supply wagons of the Fire-Alarm Branch and the Repair Division by automobile combination wagons which will be duplicates of the chemical hose wagons and will constitute reliefs for the same. This will involve three wagons and six horses.

Third.—The replacement of the entire chemical engine equipment by automobile chemical hose wagons. This involves ten chemical engines and twenty horses.

Fourth.—The replacement of thirteen ordinary hose wagons by automobile chemical hose wagons of sufficient capacity to service the high pressure system in future years if necessary. This involves thirteen wagons and twenty-six horses.

Fifth.—The replacement of four out of town ladder trucks by the same number of automobile ladder trucks. This involves four ladder trucks and twelve horses.

Sixth.—The replacement of two chemical engines by automobile ladder trucks. This involves two chemical engines and four horses.

Cost of Exchange.

This entire replacement involves the sale of eighty-three horses, eighty-three harnesses, twelve chemical engines, fifteen buggies, sixteen wagons and four ladder trucks. Computed at the following prices, which could no doubt be obtained in exchange for new apparatus, the following amount would be received:

Horses, 83 at $150	$12,450
Chemical engines, 12 at $500	6,000
Wagons, 16 at $100	1,600
Buggies, 15 at $50	750
Harnesses, 83 at $5	415
Ladder trucks, 4 at $500	2,000
	$23,215

The necessary equipment to replace this apparatus would cost:

Combination hose wagons, 26 at $5,000,	$130,000
Ladder trucks, 6 at $5,500	33,000
Runabouts, 15 at $1,750	26,250
	$189,250
	23,215
	$166,035

In order that the purchasing authority may have proper leeway for changes in plans, additions there-

to and changes in prices, it would seem best to recommend that $200,000 he made availahle for the carrying out of these recommendations.

Difference in Maintenance Expenditures.

To maintain one horse one year in the Boston Fire Department costs $250. This figure has been obtained by taking the approximate average expenditure for the maintenance of horses for the last five years. These expenditures are made up of bills for the following: Hay, grain, straw, shoeing, purchase and exchange of horses, harnesses and repairs, horse hire, attendants at hospital, medicines, etc.

There is considerahle difficulty in estimating what would he the maintenance costs of motor equipment in this department. The maintenance costs of smaller cities and towns, in my opinion, are not reliahle. They are based on smaller service mileage such as is not comparahle with the work in Boston. Moreover, the manufacturers of motor apparatus make many important repairs without cost at this time. It is reasonahle to expect that later these repairs will not be free and will be more numerous.

The cost of Motor Chemical 13 of this department for one year has heen $338. This includes an expenditure of $100 for spare tires.

In my opinion the maintenance expenditures of motor chemical apparatus would not exceed $500, or the maintenance expenditure for horse-drawn apparatus. It is possible that the charges would he somewhat less than $500, hut considering the increase in repairs as the car depreciates, the heavy cost of repairs resulting from accidents, and the high cost of maintenance of pleasure cars, and the uncertainty with respect to depreciation, I do not feel that it would he safe to estimate any material and sure saving in maintenance over horse-drawn apparatus. At the same time motor apparatus could unquestionahly he maintained for not more than $500 per piece, and there would probably be some saving.

It is not out of the question that this saving would amount to not less than $50 per horse, or $100 per team. In the case of the larger plan this would amount to $4,150 per year, or the interest on ahout $104,000 at 4 per cent. In the case of the smaller plan a saving of $100 per team would amount to $2,250 per year, or the interest on ahout $56,000.

It is apparent that the services of drivers, who are paid $1,200 per year, would be available with motor apparatus.

Gain in Efficiency.

First.—The speed of horses responding to an alarm is from twelve to fifteen miles an hour under the best conditions. The automohile will cover more than twice this distance in the same time if necessary.

Second.—It can cover a long distance with the same speed as short ones. This is impossihle with horses.

Third.—It is back in quarters quicker than horses and ready to respond to another alarm.

Fourth.—The services of the driver of an automohile are availahle, which is not so with the driver of horses.

Dorchester, with its large area of wooden huildings, and West Roxbury, rapidly huilding up in the same manner, needs just such fire service as automobile chemical hose wagons can give. Their speed will enahle them in the case of single fires to reach the fires quicker and extinguish it in its incipiency. In the case of larger fires they will be enahled to cover long distances at great speed, which will he necessary when flying sparks travel from roof to roof.

Application of the New Equipment.

The plans of this department contemplate the installation of motor apparatus in the following houses:

First.—Ten chemical engine companies.

Second.—Fifteen chiefs' buggies.

Third.—Three administration wagons.

Fourth.—Six out of town ladder trucks, to wit, Ladders 27, 25, 16 and 6, and ladder trucks in place of chemical engines 5 and 6.

Fifth.—The installation of automobile hose tenders in the quarters of Engines 16, 17, 18, 19, 20, 28, 29, 30, 34, 37, 41, 45 and 46.

These wagons are to be huilt of a sufficient capacity to carry 1,000 feet of 3-inch hose, therehy making them available for service as high pressure wagons in the down town district if so desired in later years.

Smaller Plan.

If the sum of $200,000, is considered heyond the means of the city for the present, I earnestly recommend that so much of the recommendations as involves the charge of horse-drawn chiefs' huggies and chemical engines to motor driven be adopted. The smaller plan includes the first three recommendations with the exception that there will be twelve chemicals. The figures involved are:

Sale of present equipment:	
Horses, 45 at $150	$6,750
Harnesses, 45 at $5	225
Buggies, 15 at $50	750
Wagons, 3 at $100	300
Chemical engines, 12 at $500	6,000
	$14,025

Cost of new equipment:	
Runabouts, 15 at $1,750	$26,250
Chemical engines, 15 at $5,000	75,000
	$101,250

The difference in maintenance: Possible saving of $2,250 per year.

Estimated net sum for smaller plan, $100,000.

Not Recommended.

It has not seemed wise to recommend the purchase of gasolene pumping engines for the following reasons:

First.—It has not yet been proven that the gasolene pumping engine can maintain a capacity of 700 gallons per minute for a material length of time.

Second.—Purchases of these engines up to date have been in the nature of experiments. Boston, with its heavy fire risk, cannot afford to experiment in any large degree with the most important part of its equipment, the pumping engine.

Third.—No large city has as yet done more than buy an experimental gasolene engine.

Fourth.—It is very questionable as to whether a motor-drawn steam hoiler, such as is in service in New York, may not prove a more satisfactory type than the single piece gasolene pumping engine and hose cart.

It is possible that later a gasolene-driven engine may he perfected that will pump with reliahility over 700 gallons and which will also carry 1,000 feet of hose and ten men. For the present I am of the opinion that there is no such engine. Should it he developed, the economies possible will not be lessened by the adoption of these recommendations.

In my opinion the city should not proceed heyond the purchase of a single experimental engine which could be made from department funds.

On similar grounds no purchase of motor water towers or heavy ladder trucks should be made. Up to date there has been hut one motor water tower in existence in this country, and that hut a very short time. There are very few heavy motor ladder trucks. Considering the supreme necessity of maintaining the efficiency of these fire-fighting machines, as well as the pumping engines, it seems wise to delay any action with respect to this apparatus for the present.

Conclusion.

I desire to call your attention to the fact that this department has recommended only such equipment as has heen tried and proven reliable. The proposed increase in efficiency will apply to a great extent to Dorchester and West Roxbury. These sections of the city will greatly henefit by fast moving chemical wagons. The recommendations have involved a sum of money which might justly be expended from the reserve if it is proposed to maintain the Fire Department of the city on an up-to-date basis.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

Referred to the Executive Committee.

INVESTIGATION OF CITY CLERK DEPARTMENT.

The following was received:

Boston Finance Commission,
410–413 Tremont Building,
July 24, 1911.

To the Honorable the Mayor and City Council:

Gentlemen,—The Finance Commission respectfully submits the following report upon the City Clerk Department.

The department performs various duties prescribed by statute or ordinance, the principal ones being the attendanee upon the City Council and the recording of its proceedings and the filing and recording of mortgages of personal property and other instruments.

The former Finance Commission, under date of July 14, 1908, made a report upon the department, and recommended reorganization on a basis calculated to reduce the expenditures to not exceeding $40,000 a year. The average annual expenditures for the ten years preceding the year 1908–09 had been $51,370, but partly as a result of the commission's report the expenditures for the last three years have been reduced to $46,591.51, $42,900.22 and $44,279.77, respectively, or an average of $44,590.50 a year.

The failure to reduce expenditures to the extent recommended by the former commission is due to the fact that politics has always had and still has a large influence in the affairs of the department, causing an increase in the number and compensation of employees far beyond the actual needs of the service. Though the department is entitled to commendation for abolishing overtime payments and for reducing the total expenditures, it is entitled to little credit for reductions in the pay roll. The pay roll reductions have been few in number and small in amount. They have been made along the lines of least resistance, only one resignation having been called for by the City Clerk, the other reductions having been due to voluntary resignation or death. Of the five employees of the department who have ceased to be connected with it since the date of the former commission's report, only one was removed; three resigned to get married and one died.

The present Finance Commission caused the department to be re-examined by Gunn, Richards & Co., expert accountants, who have completed their investigation and have filed a report with the Finance Commission under date of December 28, 1910. They recommended changes which would reduce the expenditures of the department to not exceeding $30,000 a year. The recommendations were based upon a study of the duties of the department and of the work performed by the various employees, as compared with similar work performed by city clerk departments in other cities of Massachusetts and by the Registry of Deeds in Suffolk County. As a result of the Finance Commission's examination both of the experts and of their report and of the officials of the department, the commission recommends that the following changes be made, believing that they are both reasonable and practicable.

I. City Clerk, Assistant City Clerk, and One Clerical Assistant.

	Present Salary.	Salary Recommended.
City Clerk	$5,000	$4,000
Assistant City Clerk	3,800	2,500
Clerical assistant	1,200	1,100
	$10,000	$7,600

The office of City Clerk is an important and dignified one and involves considerable responsibility, but the duties are not arduous and the services would be well compensated by an annual salary of $4,000.

The salary of the Assistant City Clerk is also in excess of the necessities of the case. Equally valuable services are rendered by the Assistant Registrar of Deeds of Suffolk County for an annual salary of $2,500. Even under existing political conditions $2,500 is all that the city should pay. The services of the present Assistant City Clerk are actually worth more, as he is performing the duties of the City Clerk as well as his own, but when normal conditions are restored the salary of the Assistant City Clerk should be reduced to $2,500 a year.

The $1,200 salary received by the woman clerk who does typewriting for the City Clerk and Assistant City Clerk, and who also files and indexes the city contracts, is excessive. The number of city contracts filed and indexed averages only about four a day, and this work, like the other work performed by the clerk in question, is of a simple character. An annual salary of $1,100, the amount which was paid prior to October 1, 1909, is sufficient. It is more than should be paid if the length of this clerk's service were not taken into account.

The three reductions thus recommended would effect an annual saving of $2,400, without causing any change in the system established in the office or impairing its efficiency.

II. Record Clerk and Assistant.

	Present Salary.	Salary Recommended.
Record clerk	$2,300	$1,800
One woman clerk	1,200	1,100
	$3,500	$2,900

The record clerk has charge of the work of recording and indexing the proceedings of the City Council and receives an annual salary of $2,300. The woman clerk who assists him makes a current index of the City Council records on cards, and from these the record clerk makes a consolidated index at the end of the year. The Council meets once a week on an average, and the total number of pages of its proceedings is about 800; therefore only about three pages a day are indexed. The record clerk and his assistant also do some work in connection with the drawing of jurors, and the assistant has also a few other minor duties. In the opinion of the commission a full day is not required for the performance of this work, and the compensation which these two clerks receive is much larger than either the amount or the character of the work requires. A salary of $1,800 would be ample compensation for the record clerk, and a salary of $1,100 would be sufficient for his assistant. The latter received $1,100 prior to October 1, 1909, and this amount would give full recognition to the value and length of her service.

These changes would save $600 a year.

III. Reorganization of Other Work in the Department.

A further saving of $12,088 a year can be effected as follows:

A. By making reductions in the number and compensation of clerks employed in receiving, indexing and recording instruments, and by changing the existing system in certain particulars.

B. By using the mails in collecting fees instead of employing a messenger to collect, and by hiring less expensive messenger service for posting civil service notices and for delivering papers to departments.

A. Receiving, Indexing and Recording Instruments.

1. *Receiving and Indexing.* The experts report that for five years ending January 31, 1910, an average of 11,552 instruments, comprising

mortgages and related instruments, assignments of wages, married women's certificates, liens on vessels, assignments for the benefit of creditors, descriptions of trade utensils, and business certificates, were filed annually in the City Clerk Department, and were attended to hy six clerks, whose salaries amounted to $7,300 a year, the average cost per instrument being about sixty-three cents. In the Suffolk County Registry of Deeds there were about 47,000 instruments entered and indexed last year, exclusive of the Land Court registrations, and the average cost per instrument was about fifteen cents, or less than one-fourth of the cost at the City Clerk Department. In the following tahle this work and its cost to the two departments are compared:

City Clerk Department.

No.	Salary.
1 Entry clerk	$1,400
1 Index clerk	1,800
1 Index clerk	1,100
1 Index clerk	1,000
1 Index clerk	800
1 Information clerk	1,200
6	$7,300
Average number instruments	11,552
Average cost per instrument	$0.63

Suffolk Registry of Deeds.

No.	Salary.
1 Entry clerk	$1,040
1 Entry clerk	936
2 Clerks, paging indices, $780 each	1,560
2 Clerks paging entry hooks (part time),	1,300
3 Index clerks, $780 each	2,340
9	$7,176
Number of instruments (1910)	47,331
Average cost per instrument	0.15\frac{16}{100}$

The transfer of one clerk to the work of preparing a consolidated index will reduce the cost in the present year from $7,300 to $6,300, and the cost per instrument to 55 cents, which, however, will still be three and one-half times as much as the cost at the Registry of Deeds. If this clerk is not retired when the consolidated index is finished, hut is permitted to resume her former duties, the cost will again be 63 cents per instrument.

The compensation paid to employees ef the Suffolk County Registry of Deeds for the work in question is sufficient in the opinion of the Finance Commission, and there can be no just defence for the continuance of the vastly more expensive system which is maintained at the City Clerk Department.

2. Recording.—The recording of instruments at the City Clerk Department is also excessively costly. The work of copying instruments in the record book, comparing records with the original, and making corrections and marginal references, is performed by ten clerks, whose salaries amount to $11,500 a year.

Nine of the ten are employed in connection with the recording of mortgages and one is employed in connection with the entering or recording of other instruments. Two of the ten employees, one rated as a hookkeeper, the other as a clerk, each receiving $1,800 a year, are engaged principally in connection with recording, though they have other duties which occupy a comparatively small portion of their time. At the Registry of Deeds the copying is done on a piecework hasis and other hranches of the work are performed hy clerks at regular salaries. The cost of the work is far less at the Registry than at the City Clerk Department, as the salaries which are paid by the latter are higher and none of the husiness is on a piecework hasis. The experts employed by the commission made a study of the cost of recording mortgages and related instruments at the City Clerk Department for the twenty-four weeks from June 17 to Decemher 1, 1910, this period heing the one in which the cost has been lowest in recent years, and compared the cost with the estimated cost of doing the same amount of work at the Registry of Deeds. The comparison shows that the cost at the City Clerk Department was ahout two and three-fourths times as great as the cost would be at the Registry of Deeds.

City Clerk Department.

Copying approximately 5,580 pages:		
One clerk, 24 weeks, at $21.09	$506 16	
Four clerks, 24 weeks, at $19.17	1,840 32	
		$2,346 48
Corrections and margins:		
One clerk, 24 weeks, at $19.17	$460 08	
One clerk, 24 weeks, at $15.34	368 16	
		828 24
Comparing:		
One clerk, 24 weeks, at $34.52	$828 48	
One clerk, 24 weeks, at $19.17	460 08	
		1,288 56
Total		$4,463 28

Estimated Cost Registry of Deeds.

5,580 pages at $0.20 per page	$1,116 00
Comparing:	
One clerk, 24 weeks, at $18	432 00
Estimate of bonuses	68 00
Total	$1,616 00

In the opinion of the commission the maintenance of the present costly system of recording at the City Clerk Department is wholly without justification.

B. Messenger Service.

The four messengers, so-called, employed in the City Clerk Department were all appointed outside of civil service prior to the date when messengers were placed under the civil service rules. These appointments, like many others in the department, were of a political character and the compensation is in excess of the actual value of the service rendered. One of the messengers receives $1,200 a year. He is a custodian of records which are kept in the vault in the basement. His duties are of the simplest character and would he well compensated hy a salary of $900 a year.

Another messenger who receives $1,200 a year is employed principally in answering inquiries at the door and in the preparation of hunters' licenses, of which there are ahout four per day on the average. The latter work could easily be attended to by the Assistant City Clerk or some other employee in the office; and there seems to he no reason why the inquiries could not he answered by the assistant, or some other clerk, thus making the position of the messenger in question unnecessary.

The third messenger receives $1,200 a year and is engaged principally in posting notices issued hy the Civil Service Commission, which are required to he posted in each ward of the city, and in delivering the renewals of licenses for the storage and sale of explosives. In the city of Worcester the posting of civil service notices is performed by an outside messenger at a cost of $0.25 per hour. If outside messenger service were employed for this work in Boston, it could he performed for $200 a year, according to the liheral estimate of the experts employed by the Finance Commission. The other work of the messenger could he dispensed with if the department would notify the licensees that the papers were ready for delivery and could be received upon payment for the same at City Hall. By the adoption of these simple expedients the service of this messenger would become wholly superfluous, and $1,000 a year could he saved.

The fourth messenger is employed principally in carrying papers and other messages from the City Clerk Department to other city departments, and in collecting fees for papers which have previously heen left to he recorded. There is no reason why persons who leave papers for recording should not he required to call at City Hall and pay for the recording when the amount of the fee has been ascertained, or send payment hy mail. That is the practice of the Registry of Deeds, and so far as known of city clerk departments elsewhere. If that practice is estahlished there will be no necessity for retaining the services of this messenger. A boy should he employed in his place at $6 a week and thus $688 a year could be saved.

If the following recommendations are adopted, an annual saving of approximately $15,088 can he effected: and in this event an annual appropriation of $30,000 will he ample.

The commission recommends:

1. That the ordinances he amended so as to fix the salaries of the City Clerk and Assistant City Clerk at $4,000 and $2,500 a year, respectively,

and that the salary of the woman clerk who assists the City Clerk and files and indexes city contracts be reduced to $1,100 a year, thus saving $2,400 a year.

2. That the salaries of the record clerk and of his assistant he reduced to $1,800 and $1,100, respectively, thus saving $600 a year.

3. That the salary of the clerk who issues notices of hearings on pole locations he reduced from $1,000 to $800 a year.

4. That the work of receiving, indexing and recording instruments be reorganized, as outlined below, so as to reduce the cost to approximately the cost at the Registry of Deeds.

(*a.*) The salary of the chief clerk of the mortgage department should be reduced from $2,000 to $1,800, which would be a liberal allowance, equal to the salary paid the second Assistant Registrar of Deeds for work which is similar in kind but much greater in amount.

(*b.*) Index books should be kept where the public could obtain information without being obliged to consult the information clerk or to rely upon the accuracy of the information thus given. The information clerk would thus become unnecessary and $1,200 a year could he saved.

(*c.*) The salaries of one male clerk and two women clerks, who work on the indexes and receive $1,800, $1,100 and $1,000, respectively, should be reduced to $1,000, $800 and $800, respectively, thus saving $1,300 a year.

(*d.*) The salary of the entry clerk should be reduced from $1,400 to $1,200, saving $200 a year.

(*e.*) The recording of mortgages and other related instruments, including the copying, comparing, correcting and making of marginal references, should be placed upon the same basis as at the Registry of Deeds. By establishing the piecework system at the rates paid in the Registry of Deeds a saving estimated by the experts at $3,600 a year could he effected.

(*f.*) One clerk, rated as bookkeeper, who now receives $1,800 a year and who is principally occupied in comparing papers with an assistant who receives $1,000 a year, should he retired and the salary of the assistant reduced $100, thus saving $1,900 a year. The copyists should assist the remaining comparer in the same manner in which the copyists assist the comparers at the Registry of Deeds.

(*g.*) The clerk who is now in charge of the assignments of wages, married women's certificates and liens on vessels, which duties in connection with his other clerical work do not occupy his entire time, should he given the additional duties of keeping the hooks and answering inquiries now attended to by one of the messengers. His salary should be reduced from $1,800 to $1,500 a year.

5. The salary of the messenger who has charge of the vaults should be reduced from $1,200 to $900 a year.

The other three messengers should he retired and outside messenger service and extra use of the mails he resorted to, as previously outlined, and a messenger boy be employed at $6 a week. These changes would result in a saving of $3,188 a year over the present messenger cost.

A copy of the report of the experts is hereto annexed.

Respectfully submitted,
THE FINANCE COMMISSION,
by JOHN A. SULLIVAN,
Chairman.

Placed on file.

CLERK HIRE.

Communications were received from the Register of Deeds in accordance with the provisions of chapter 22, section 33, of the Revised Laws, certifying that persons had been employed in his office, commencing June 26 to July 24, and that work had been performed to the amount of $3,184.67; also, that persons had been employed from July 24 to August 21, and that work had been performed to the amount of $3,200.41.

Referred to the Committee on County Accounts.

Coun. McDONALD in the chair.

ADDITIONAL FIREMEN.

President COLLINS offered the following:

Whereas, The Boston Fire Department is seriously undermanned and said undermanning presents a condition of constant peril to the citizens; and

Whereas, Said dangerous condition was pointed out in a letter of April 10, 1911, by the Fire Commissioner to his Honor the Mayor, in which said commissioner stated " to delay in this matter would be a grave mistake;" and

Whereas, The conclusion of said letter, in which said commissioner calls for more men, was based on his own investigation, the investigation and findings of the National Board of Fire Underwriters, the reports of the district chiefs of the fourteen fire districts of the city and the recommendation of the Boston Finance Commission; and

Whereas, Recently said commissioner has made another report in which again he calls attention to the undermanned condition of the said department: and

Whereas, The Finance Commission has in a report within a few days emphasized its former recommendation; and

Whereas, Any further investigation on the question of undermanning by a commission is unwise and fraught with unnecessary delay and grave danger to the lives and property of the citizens, be it therefore

Resolved, That his Honor the Mayor he requested to consider at once the advisability of requesting the City Auditor to make the necessary transfer from the appropriation for the Reserve Fund under section 3 of the Charter Amendments of 1909, or send to the City Council an order calling for the transfer of sufficient funds for the purpose of adding fifty more men to the fire force of the city.

Coun. COLLINS—Mr. President, about a month ago, when I was Acting Mayor, I sent to this City Council an order asking that there be added to the fire force of the city fifty men, on the ground that I believed that a great emergency existed owing to the fact that the Fire Department was badly undermanned. That conclusion of mine in my order was supported by a letter of the Fire Commissioner to his Honor the Mayor, dated April 10, 1911, which letter is referred to in the resolutions which are now before this Council. After deliberation the Council at that time passed, by a vote of five to two, the order which at that time I sent in. Much discussion arose by reason of that order, mainly on this question: Whether or not I, as Acting Mayor, had a right to send in this order, and whether or not it admitted of delay. The question then was whether or not the order of mine admitted of delay. There was no serious question or argument made at that time that the men were not needed. In fact, we had the report of the Fire Commissioner, which was based on the report of the National Board of Fire Underwriters, the report of the Boston Finance Commission submitted to this Council in March of the past year, and besides that we had an overwhelming sentiment in favor of this proposition on behalf of the public, led by the Press, not only in the news columns but through the editorial columns. Particularly was this so in the cases of the Boston *Journal*, *Globe*, *Herald* and *Traveler;* and no paper in the City of Boston took an adverse stand to the need of more firemen at that time. His Honor the Mayor has returned, and now the legal questions or difficulties which were encountered perhaps by some, particularly by Corporation Counsel Babson, that the matter did admit of delay, cannot now be raised. The question presents itself, whether or not the addition of fifty more men is needed at this time. I submit, Mr. President, that conditions have not changed; and, in fact, since I presented that order we have had two or three fires in this city which were it not due to the kindness of Providence might have resulted in pronounced conflagrations. I refer particularly to the fire in the Charlestown district, and I have a picture now in my hand, which I shall be pleased to show any member of the Council, which shows the Boston Fire Department in operation at that time. It will he noticed in this picture that boys are helping the firemen to turn on the hose and fix the hose, and boys on the roof. That is a graphic and simple illustration of what the situation is and what it might be if a great fire occurred. Accordingly, I think it is proper at this time that the Council should again take an affirmative stand on this most important question. Yesterday I spoke to his Honor the Mayor concerning this proposition, and I said I believed that before the City of Boston should devote any money to the things which were of an æsthetic nature it would be preferable to devote them to a life-saving

department like the Fire Department. His Honor the Mayor said that he had taken a position on that matter; the responsibility was his. That is true, but I think, as one of the legislative branch of this government, that it is appropriate at this time that we should again call his Honor's attention to the serious undermanning of the Boston Fire Department. Therefore I have introduced this resolution. Since the order I presented as Acting Mayor there has come another report from the Fire Commissioner, re-emphasizing the fact that more men are needed. The Finance Commission has sent in two or three reports to the Mayor, emphasizing the situation. I submit that nothing has changed since I sent the order to this Council over a month ago. Things are in a deplorable state in that department. I think the subject has taken somewhat of a different turn by reason of the recommendations which contemplate the addition of new apparatus to the department, and the question which was raised a month ago, to wit, the undermanning, has in a measure been eclipsed. I believe, however, that the first and most important thing for us to do is to man the Fire Department in accordance with the advice of the experts. It was submitted by his Honor the Mayor in an early communication that "well-meaning amateurs" could not solve this question by simply adding more men to the Fire Department. I submit that the Fire Commissioner is his own appointee; I submit that the National Board of Fire Underwriters are acknowledged experts; I submit that the Boston Finance Commission has gone into the matter thoroughly. I have yet to hear one voice from any expert that more men were not needed. The issue is still before us whether or not more men are needed for the Fire Department. I have drafted this resolution in order to comply with any technicality raised by the Corporation Counsel or others. I have followed the draft of the resolution offered by Coun. Attridge last year, and which he had drawn after a conference with the Corporation Counsel. I believe these resolutions are proper and hence I submit them. I trust that at this time the City Council will pass them unanimously.

The CHAIR—The question comes on the passage of the resolutions.

Coun. HALE—Mr. President, in regard to this order, I would like to say that I am very heartily in favor of it. When the matter came up during the absence of Mayor Fitzgerald I opposed the order for $50,000, and I stated at that time my reasons. Those were, first, that the order was illegal; in other words, that the Acting Mayor had no power to send the appropriation in; and in the second place, that the order would have no effect because the City Auditor refused to transfer the money and because he told us that he would refuse to transfer the money. Both of those reasons have proved correct. The Corporation Counsel has ruled that the transfer was illegal; the City Auditor refused to transfer the money. The order was just about as valuable as a piece of waste paper. I am now in favor of the $50,000, because I think that the Fire Department is undermanned and needs fifty more men, as I stated in the debate during the absence of Mayor Fitzgerald. I therefore take great pleasure in voting in favor of Coun. Collins' resolution.

Coun. COLLINS—I wish to state at this time that I have no feeling one way or the other on how anybody may have voted on my order when I was Acting Mayor. I will say this: That if the conditions in the future were as in my opinion they appeared to be at the time I was Acting Mayor, I would do exactly as I did before; I would have sent the order in and put it up to the Corporation Counsel and the City Auditor. I do not believe that after I had gone that far and pressed the matter to the limit that I would be justified in appearing to be drastic. Accordingly I allowed it to go and be carried by the overwhelming sentiment of the community. I knew full well, irrespective of what this commission may report or may not report, that more men will be added to the Fire Department. I believe that additional apparatus will be secured. It is in line with up-to-date advancement in all the large cities, particularly New York. I wish to reiterate I have no apology to offer, no excuses to anybody, for offering that order while I was Acting Mayor. I would do under the circumstances exactly the same thing again.

Coun. SMITH—Mr. President, it gives me great pleasure to vote for this resolution. In doing so I would like to ask that the commissioner be requested to give us his facts and figures on the cost of the Fire Department. It seems to me that the only valid argument made against the increase of the Fire Department is on the cost of the department as compared with the other departments of the country. I understand Commissioner Daly has made a report which puts those figures in an entirely different light. It seems to me the Council ought to have the benefit of those figures.

Coun. COLLINS—I would respectfully ask that when the vote be taken that it be taken by verification, by calling of the yeas and nays.

The resolution was passed, yeas 7, nays 0.

PENSION FOR FIREMEN.

Coun. CURLEY offered an order—That chapter 738 of the Acts of 1911 as approved July 19, 1911, be and the same is hereby accepted by the City Council.

Coun. CURLEY—Mr. President, in view of the manner in which this special act is drawn that is adopted by the Legislature July 19, 1911, and which provides not only for acceptance by the City Council of the City of Boston but also the approval of the Mayor and of the Fire Commissioner, I would most respectfully move the suspension of the rules and that the order be placed upon its passage. I might say that the order provides that the City of Boston is hereby authorized to pay John J. Carney of that city, a former member of the Fire Department, an annual pension equal to one-half of the compensation received by him at the time of his retirement, the said Carney having been retired on account of illness contracted while in the exercise of his duty as a said fireman. Carney became a member of the Fire Department, and after some months contracted pneumonia, which later developed into tuberculosis. The probability is that he will not live a great while. He is receiving treatment at a sanitorium at the present time. I do not feel we would be doing anything unusual or improper in suspending the rules. I move that the rules be suspended so that the order may be placed upon its passage.

The rule was suspended and the order was passed.

SOLDIERS' RELIEF.

Coun. HALE, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of August.

Report accepted; order passed.

COST OF MUNICIPAL BUILDING, WARD 7.

Coun. ATTRIDGE offered an order—That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of proposed municipal building in Ward 7, said estimate to include site, building and equipment.

Passed.

COST OF LIBRARY, EAST BOSTON.

Coun. ATTRIDGE offered an order—That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of proposed library building in the East Boston district, said estimate to include site, building and equipment.

Passed.

LAYING OUT OF WITHINGTON STREET.

Coun. ATTRIDGE offered an order—That the Board of Street Commissioners be requested to accept and lay out as a public way Withington street, Ward 24.

Passed.

LABOR DAY PARADE.

Coun. McDONALD offered an order—That the Police Commissioner be authorized to close to travel by vehicles, except fire, police, mail and

hospital wagons, the following streets for the formation and parade of the Central Labor Union and the Building Trades Council on September 4, 1911, viz.:

Copley square, Boylston, Dartmouth, Berkeley, Dover, Washington, School, Beacon and Charles streets.

Formation of Parade—Boylston street, Massachusetts avenue, Blagden and Newbury streets, Massachusetts avenue, Dartmouth, Exeter, Fairfield, Gloucester, Hereford streets and approaching streets in neighborhood.

Passed.

ROPING OFF OF STREETS.

Coun. McDONALD offered an order—That the City Messenger rope off such streets as the Police Commissioner may require on Monday, September 4, 1911, in connection with the Labor Day parade, the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

PROHIBITION OF HOSPITALS, ROXBURY.

Coun. McDONALD offered the following:

City of Boston.
In the year Nineteen Hundred and Eleven.
An Ordinance.

Be it ordained by the City Council of Boston, as follows:

That under the provisions of section 38 of chapter 75 of the Revised Laws the occupancy or use of any building as or for a hospital in that part of the City of Boston bounded by and lying between Walnut avenue, Crawford street, Waumbeck street and Humboldt avenue is hereby prohibited.

Referred to the Committee on Ordinances.

RECESS TAKEN.

The Council voted at 2:55 o'clock p. m., on motion of Coun. ATTRIDGE, to take a recess subject to the call of the President.

The members of the Council reassembled in the Council Chamber, and were called to order by the President at 4.49 p. m.

TRANSFER FOR VARIOUS IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, August 22, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order, transferring various sums aggregating seven thousand dollars ($7,000) from the appropriation for Reserve Fund to special appropriations to be expended respectively by the Superintendent of Public Buildings for sanitary accommodations, painting and repairs at the Vine street building; by the Board of Park Commissioners for sanitary accommodations at the Public Landing, Marine Park, and by the Bath Trustees for improvements at McKenzie Beach.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the following sums to the departments specified for the purposes designated:

To be expended by the Superintendent of Public Buildings for sanitary accommodations, repairs and painting at the Vine street building.....	$3,000
To be expended by the Board of Park Commissioners for sanitary accommodations at the public landing, Marine Park.....	2,000
To be expended by the Bath Trustees for improvements at McKenzie Beach,	2,000

The order was passed, yeas 7, nays 0.

MONEY FOR VARIOUS IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, August 22, 1911.

To the City Council:

I beg to recommend the passage of the accompanying orders appropriating the sums designated therein for improvements which, in my judgment, are much needed in the various sections of the city. Many of them have been repeatedly asked for, either by heads of departments or by civic organizations through their representatives at the district meetings, and the present time seems to me a propitious one for providing for them out of the tax levy.

It is generally agreed that a tax rate of $16.40 or thereabouts is not unreasonable for a city like Boston. This rate is in fact lower than that of nearly all the cities of the Commonwealth. The alternative is either to borrow the money for these improvements or to do without conveniences and even necessities of prime importance. I am aware that a certain prestige might be gained by lowering the tax rate this year, but prefer to recommend these appropriations and trust the Council will agree with me that they are advisable.

In addition to the items specified I have recommended the appropriation of three hundred thousand dollars ($300,000) for the Reserve Fund. This is to provide for certain improvements, the appropriations for which cannot be passed without two readings and an interval of fourteen days. Among these are a much needed detention building for immigrants at Gallop's Island, the cost of which is estimated at sixty thousand dollars ($60,000); a municipal building in Ward 7, to cost seventy-five thousand dollars ($75,000); a playground in Ward 2, to cost seventy-five thousand dollars ($75,000); a branch library in East Boston, to cost fifty thousand dollars ($50,000); a branch library in Charlestown, for which thirty thousand dollars ($30,000) additional is needed; additional playground accommodations in Ward 19, to cost forty thousand dollars ($40,000); a playground in North Brighton, to cost fifteen thousand dollars ($15,000), and additions and improvements to Savin Hill Playground, to cost twenty thousand dollars ($20,000). Some of these appropriations have already been recommended by me. The aggregate of the appropriations herein recommended is five hundred and fifty thousand eight hundred and fifty dollars ($550,850).

The unexpended balance of the Reserve Fund on August 1, 1911, was four hundred fifty-nine thousand three hundred and forty-nine dollars and ninety-eight cents ($459,349.98). This with the additional appropriation recommended is sufficient to provide the various improvements specified above and still leave an ample remainder for any contingencies that may arise in the Fire Department.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That the sum of money hereinafter specified be, and the same is, hereby appropriated for the objects and purposes hereinafter stated, that said sum be met by taxes to the amount so appropriated, and be raised by tax upon the polls and estates taxable in the City of Boston, and that all orders heretofore passed relating to taxes and the interest thereon apply to the taxes herein provided for.

For reserve fund.....	$300,000

Ordered, That the sums of money hereinafter specified be, and the same are, hereby appropriated for the objects and purposes hereinafter stated, that said sums be met by taxes to the amount so appropriated, and be raised by tax upon the polls and estates taxable in the City of Boston, and that all orders heretofore passed relating to taxes and the interest thereon apply to the taxes herein provided for.

To be expended by the Commissioner of Public Works for repairs on ferry landings.....	$52,000
To be expended by the Superintendent of Public Grounds for moth destruction work.....	25,000
To be expended by the Penal Institutions Commissioner for Deer Island improvements.....	41,700

To be expended by the trustees of the Boston City Hospital for improvement of mortuary at City Hospital...	$15,000
To be expended by the Superintendent of Public Grounds for street trees....	20,000
Total.....	$153,700

Ordered, That the sums of money hereinafter specified be, and the same are, hereby appropriated for the objects and purposes hereinafter stated, that said sums be met by taxes to the amount so appropriated, and be raised by tax upon the polls and estates taxable in the City of Boston, and that all orders heretofore passed relating to taxes and the interest thereon apply to the taxes herein provided for.

To be expended by the Board of Park Commissioners for improvements at Charlestown Heights and Dewey Beach.....	$20,000
To be expended by the Board of Park Commissioners for Savin Hill Playground, filling, grading and improvements.....	10,000
To be expended by the Board of Park Commissioners for improvements on Governor's Island.....	20,000
To be expended by the Board of Park Commissioners for trees on Commonwealth avenue.....	10,000
To be expended by the Board of Park Commissioners for gables at Franklin Field locker building.....	1,000
To be expended by the Board of Park Commissioners for Copp's Hill Playground, shelter.....	28,500
To be expended by the Board of Park Commissioners for Billings Field, grading.....	1,000
To be expended by the Board of Park Commissioners for Rogers Park, planting and grading.....	1,500
To be expended by the Board of Park Commissioners for Dorchester Park, water supply and fountains.....	750
To be expended by the Board of Park Commissioners for four spraying machines.....	4,400
Total.....	$97,150

The orders were passed, yeas 7, nays 0.

TROPHY FOR YACHT RACE.

The following was received:

City of Boston,
Office of the Mayor, August 22, 1911.

To the City Council:

The accompanying letter from the secretary of the regatta committee of the Mosquito Fleet Yacht Club affords what seems to me an admirable opportunity of disposing of the cup offered by the city last spring for a yacht race between Boston and Bermuda. Owing to the lack of entries this race was abandoned, but the cup still remains in our possession and would be an excellent trophy for the race proposed to and around Boston lightship. I recommend the passage of the accompanying order authorizing me to award the cup as a prize for the winning yacht in the proposed race.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Mosquito Fleet Yacht Club,
South Boston, Mass., August 18, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—The Mosquito Fleet Yacht Club respectfully presents a proposition to run a yacht race for the Bermuda Cup on Labor Day, September 4.

If the proposition is accepted we will give an open race of about twenty-five miles, probably to and around Boston lightship, and offer prize money to the amount of $75 in addition to the cup. Race to be handicap and open to all yachts enrolled in the Inter-Club and Massachusetts Yacht Racing Associations or eligible to the classes selected from these associations.

Very respectfully,
THE MOSQUITO FLEET YACHT CLUB,
by FRANCIS G. BONN,
Secretary of Regatta Committee.

Ordered, That the silver cup offered by an order of the City Council passed at its meeting March 22, 1911, for a Boston to Bermuda Yacht Race, be awarded at the discretion of his Honor the Mayor to the winner of an open race to and around Boston lightship, to be conducted under the auspices of the Mosquito Fleet Yacht Club.

The order was passed.

MONEY FOR STREET IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, August 22, 1911.

To the City Council:

I beg to recommend the passage of one of the accompanying orders, providing the sum of one hundred seventy-five thousand dollars ($175,000), for street improvements, either by loan or by transfer from the Reserve Fund. An opportunity is afforded by the taking down of houses on Beacon street to continue Arlington street to the Charles River Basin, and it seems to me that the funds necessary to carry out so desirable an improvement ought to be available if the Board of Street Commissioners should vote to carry on the work.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That the sum of one hundred and seventy-five thousand (175,000) dollars be and hereby is appropriated for Highways, Making of, under the provisions of chapter 393 of the Acts of 1906, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Coun. McDONALD in the chair.

Coun. HALE—I think, in order to find out just how the Council stands in regard to the two orders, we ought to vote first on one and then on the other. Therefore I would like to move, first, that the rules be suspended, if that be necessary, and that the loan order be put upon its passage. If that is defeated I should like to have the privilege of calling up the other order. I find that it is not necessary to suspend the rules. The motion can be put upon its passage first.

Coun. COLLINS—I move reference of the loan order, as a substitute motion, to the Committee on Finance.

Coun. CURLEY—There seems to be a doubt in the minds of a great many. Mr. Chairman, if the disposition of the majority is to refer it to the Committee on Finance, I recognize the futility of attempting to defeat that motion. Personally I feel that this is a most necessary improvement, and I realize that every member of this Board feels likewise. The Columbia road boulevard, with the Marine Park, practically terminates at Castle Island. If this matter that is proposed is carried through, with the latter proposed improvements, that Pleasant street be widened, that it would make a connection with the esplanade on the Charles river, and I feel that the city could purchase this property more advantageously at the present time, before construction work has been completed, than it could by waiting until a later time. I feel in fact a good many thousand dollars might be saved by the city by immediate action on this matter, but in view of the fact that the majority of the Council feel that it should be referred to the Committee on Finance, I recognize the futility of discussing it.

The motion to refer was declared lost.

President COLLINS doubted the vote and asked for the yeas and nays, and the motion to refer was lost, yeas 1, nays 6, President Collins voting yea.

Coun. CURLEY—I personally feel that since a majority have voted against reference to the Committee on Finance, of six to one, that we might discuss the order briefly. I want to say

that if the various objections, or possible objections, that have been raised to the passage of this order prove to he as the objectors feel they will be, that I am prepared to vote against this proposition on its final passage; but I recognize, Mr. Chairman, that there is a strong possihility that if the owners of this property, who represent the largest hanking house in the city, Lee, Higginson & Co.—that if they are approached they might have sufficient puhlic spirit to warrant their turning this property over to the city without an unreasonahle profit to themselves, whereas, on the other hand, if negotiations are delayed indefinitely, as they probahly would he, there is a possihility that they may he compelled to ask much more for the property than it can he purchased for at the present time. I feel, in fairness to all concerned, that the record of the City Council would not suffer, and certainly the city would not suffer, if immediate action were had on this order, hecause it is the first reading at this time. I will say that I would vote against it at the second reading in event of the contentions of those raising ohjections to it to-day being sustained.

Coun. COLLINS—I moved that this be referred to the Committee on Finance for two reasons. The first was this: That if this were not referred to the Committee on Finance then the question would come directly on whether or not we would he willing to horrow money for this purpose at this time. As it stands, we have seven or eight hundred thousand dollars in the Reserve Fund, and it scems to me had financial judgment to borrow money and pay between 3 and 4 per cent for it, if we have money on hand which prohahly is only drawing 2 per cent. For that reason I moved reference to the Committee on Finance. If that were carried then the question would come directly, whether or not the second order of the Mayor's which is before the body, namely, whether or not this money that would come from the tax levy should be had. Now, since the question is not directly before us as to the appropriation, I am constrained to talk to the loan. It seems to me poor judgment, even if it were a loan or an appropriation, for this City Council to take an affirmative stand on a matter of such magnitude, ranging from $150,000 to $200,000, as far as we can guess. There is no estimate here as to how much it would cost. You may say all the city government is entitled to do is to give 25 per cent over the assessed value during the last three years, but, Mr. President, the owners of that land have the right to refuse that and go to trial with the jury as to how much they have been damaged. In fact, I know from my conversation with the other members of the Council that they will save damage by starting this appropriation forthwith. As everybody who has had much experience in building operations knows, the contracts having all heen let, the architects' fees will have to he paid. If the matter is postponed for a week or two until we can have definite plans, it is time for us to act. I will take this stand: I shall vote against the loan even if it were the most necessary improvement, where we have $800,000 on hand. I shall vote against the appropriation order to-day because I do not believe we have sufficient data. It is a case of putting the cart before the horse. I do not think we ought to do it. If we take this step in this case, no matter how meritorious it might be, I think it would establish a precedent for doing so in future cases. I think it is a very had precedent. It may he said if the appropriation order prevails another meeting takes place two weeks from to-day. I wish to say that the city charter provides in the case of sales of land that the second reading shall be at least fourteen days from the first reading. I wish also to call your attention to this fact, that this is the first case, as far as the authorities know around here at the City Hall, where this sort of thing of an appropriation from a tax levy for an extension of a street has been had. The people who would do the work in regard to the taking are the Street Commissioners. If perchance only one reading is necessary, it may he argued that you can rescind your action. That may not follow if the Mayor sees his way clear to sign it forthwith. Accordingly, I belive on general principles it is bad judgment to take the initial step at this time. This is a question of some size and should receive mature consideration. It was first hrought professionally to my attention to-day. After looking into the needs of the other sections of the city, of all parts of Boston, I helieve the proposition should be passed on. I shall vote for it at the next meeting, hut it will he only after mature and thorough consideration. The question of street improvements is a big one in Boston. There is Norfolk street in Dorchester, Faneuil street in Brighton, and countless other streets. The proposition before us is an excellent one from an esthetic point of view, and if I helieved the money can he well afforded, as I have already stated, I shall he in favor of it, but at this time to vote in the affirmative would he hasty and ill-advisable. Accordingly, I shall vote at this time "No."

Coun. HALE—In regard to the question whether we shall take the money out of a loan or an appropriation, I shall not go into my reasons for favoring the loan. I do favor it as you all know, because I believe that permanent appropriations should come out of a loan. There are certain exceptions, namely, where a loan is practically for current expenses, such as extending a new street that you have already expended $300,000 for, and in the sewers and other annual loans. I think possihly in those cases we could justifiably take it out of the tax levy. All other improvements I believe should come out of loans. This past year we have passed certain loans for such expenses, which, as I have just said, might possihly justifiahly come out of the tax levy. For that reason I shall be willing to vote for this appropriation, which I think ought to come out of a loan, and also that I have already voted for certain of these other improvements which should have come out of loans, so as to balance up; in other words, to meet the money that we have taken out of loans which possibly we should have taken out of appropriations, namely, the sewers and the highways. For that reason I should he willing, in case this loan is defeated, to take this money out of the tax levy.

Coun. McDONALD—Mr. President, when I voted "No" a little while ago the councilor on my right told me it would he referred to the Executive Committee. It is needless for me or anybody here to discuss why we are not going to vote to issue loans when we have money to pay the bill. We have discussed that here time and time again. I am satisfied to vote to-day to take this money out of the tax levy. Two weeks from now, if I do not think it is just the proper thing and if the city, as the gentleman on my right has said, is not getting the equivalent for its money, I shall vote against it. I do not propose for it as a loan order. I won't vote for it as a loan order. I am satisfied to-day to take it out of the tax levy. If I am not satisfied two weeks from now that it is the proper thing, I shall vote against it.

The vote on the passage of the order was yeas 4, nays 3, and the order was declared rejected (six votes being required for passage).

Yeas—Coun. Buckley, Curley, Hale, Smith—4.
Nays—Attridge, Collins, McDonald—3.

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The Council took up the alternative order, accompanying the message, viz.:

Ordered, That under the provisions of chapter 261 of the Acts of 1893, the City Auditor he and herehy is authorized to transfer the sum of one hundred seventy-five thousand dollars ($175,000) from the appropriation for Reserve Fund to the appropriation for Highways, Making of.

Coun. HALE—I move that this he put upon its passage. All I wanted to say was this, that I have not made up my mind definitely, and I do not believe any other memher of the Council has, whether this particular improvement is the most important one for which to spend the reserve. I want this distinctly understood, as far as I am concerned, and I think as far as anybody here who votes in favor of doing this to-day, we can save great expense to the city in case we do decide to vote affirmatively on this.

Coun. SMITH—This improvement was passed upon five years ago by the Metropolitan Improvement Board. The architects of Boston are unanimous in favor of it. It connects the Puhlic Garden and the Common with the Esplanade. The Esplanade is not sufficiently used at present. There is no douht this is a puhlic benefit. At the same time, there is no doubt that the money should come hy loans. At the present time I am going to vote for those coming out of a loan hecause I believe we can save money. It is a case of necessity. If the huilding goes on we will have to pay for the huildings as well as the land. I helieve strictly in principle this should come out of a loan.

Coun. ATTRIDGE—I shall vote in favor of this appropriation order to-day, hut hy doing so I do

not intend to bind myself to vote for it upon its second reading two weeks from to-day. I vote "Yes" to-day simply out of courtesy to the two gentlemen from Ward 11, the two previous speakers, because of the fact that they desire to stop building operations in order to make an investigation as to the ultimate cost to the city. At the present time these members of the Council do not know what damage the city might sustain if this land was taken by reason of contracts which might have been let for the erection of the buildings upon this land. There is some question in my mind as to whether this improvement is the most necessary improvement in the city at the present time. There is some question in my mind as to whether the money could not be spent to better advantage in other sections of the city. I have in mind one particular avenue in Boston—one particular street—which should be fixed, namely, Norfolk street, in Dorchester. There has been great agitation for a few years past in regard to the city laying that out and widening it. To-day we have buildings in Boston—we have some fire stations in Boston, and some police stations which should be replaced by new buildings. There is some question in my mind at this time as to whether this improvement—this connecting link, as Coun. Curley says, between this roadway that leads from City Point over to the Back Bay—should be done at this particular time, or as to whether some other improvement is more necessary. Out of courtesy to the two gentlemen from Ward 11, I vote "Yes" to-day for the appropriation, reserving the right to vote against it when it comes upon its passage at the second reading two weeks from to-day.

The order was passed, yeas 6, nays 1, President Collins voting nay.

ORDER OF NOTICE.

Coun. McDONALD presented the following:

On the application of the directors of the association for the formation of the Boston & Eastern Electric Railroad Company, filed with the City Clerk, July 20, 1911, asking that the route of said railroad within the limits of the City of Boston be fixed as shown on the maps and profile submitted with said application, it is hereby

Ordered, That the City Clerk be directed to give notice in the manner required by chapter 516 of the Acts of 1906 and acts in amendment thereof or in addition thereto, that this Board will, on Monday, September 11, 1911, at 2 o'clock p. m., give a hearing on the aforesaid application, at which time any parties in interest may appear and be heard.

The order of notice was passed.

President COLLINS in the chair.

SIDEWALK ORDERS.

President COLLINS offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along the Sedgwick street side of Curtis Hall, Ward 22, in front of the estates bordering thereon; said sidewalk to be from three to ten inches above the gutter adjoining, to be from five to twelve feet in width, and to be built of artificial stone, with granite edgestones, the Public Buildings Department to furnish said material.

Ordered, That the Commissioner of Public Works make a sidewalk along Auckland and Belfort streets, Ward 20, at St. William's Church, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of gravel, with granite edgestones.

Ordered, That the Commissioner of Public Works make a sidewalk along both sides of Talbot avenue, between Washington street and Blue Hill avenue, Ward 20, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones.

The orders were passed.

Coun. SMITH offered an order—That the Commissioner of Public Works make a sidewalk along the northerly side of Park street, between Anawan avenue and Clement avenue, Ward 23, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 10 feet in width, and to be built of artificial stone, without granite edgestones, under the provisions of chapter 437 of the Acts of 1893.

Passed.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Reports on petitions (severally referred to-day) for sidewalks—recommending the passage of orders that the Commissioner of Public Works make sidewalks along the following-named streets, in front of the hereinafter named estates; said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built as specified, the owner to furnish the material, viz.:

Brick.

Mrs. Catherine Fitzgerald, 2 Gore street, Ward 19.
Mrs. Hannah Martin, 210–212 Heath street, Ward 19.
M. Maynes, 347 Adams street, Ward 20.

Brick with Granite Edgestone.

Ferdinand Salerno, 217 Marion street, Ward 2.
Sam Lishner, 196 Paris street, Ward 2.
Coleman Sullivan, 865 East Second street, Ward 14.
D. J. Miller, 40 Brookford street, Ward 16.
Edward P. Smith, 41 Brookford street, Ward 16.
Mark J. Crehan, 42 Brookford street, Ward 16.
Edward J. Harrigan, 43 Brookford street, Ward 16.
James F. Sullivan, 25 Sunnyside street, Ward 22.

Artificial Stone with Granite Edgestone.

J. F. Sullivan, 753 Saratoga street, Ward 1
Trustees of the Boston Real Estate Trust, Commercial, Clark and North streets, Ward 6.
D. Milton, 52 Allen street, Ward 8.
Boston Elevated Railway Company, Lowell, Causeway and Billerica streets, Ward 8
W. J. Grosvenor, 183 Pleasant street, Ward 10.
James M. Rothwell, 549–551 Boylston street, Ward 11.
Whitcomb & Kavanagh Company, 71 Brimmer street, Ward 11.
C. M. Mowatt, 117 Centre street, Ward 20.
William B. Sherman, 37 Grampianway, Ward 20.
R. G. Crosby, 10 Morrill street and 39–41 Pleasant street, Ward 20.
Marks Harris, 55, 59, 63, 67, 71 Nightingale street, Ward 20.
A. C. Quincy, 1 Waldeck street, Ward 20.
Henry McLellan, 29–31 Bainbridge street, Ward 21.
Eliot Street Trust, 129 Eliot street, Ward 21.
Peter B. Siegel, Glendale street, corner Columbia road, Ward 20.
Silverman & Shipiro, 28–46 Hollander street, Ward 21.
Nathan Berkowitz, 218–224 Humboldt avenue, Ward 21.
A. Rosenberg, Montana street, side of 68 Elm Hill avenue, Ward 21.
J. Newman *et al.*, 16 Seaver street, Ward 21.
Dr. J. F. Ford, Walter street, corner Hewlett street, Ward 23.
G. L. Davidson, 17 Alban street, Ward 24.
Henry J. Boden, 1405–1408 Blue Hill avenue, Ward 24.
George N. Douse, 29–31 King street, Ward 24.
R. J. Perry, 308 Norfolk street, and on Corbet street, Ward 24.
Henry C. Towle, 28 Draper street, Ward 24.
William W. Smith, 75 Milton avenue, Ward 24
A. A Page, 800–802 Norfolk street, Ward 24.
C. W Stiles, 38 Wrentham street, Ward 24.
Robert G. Jones, 382–386A Cambridge street, and 1–5 Harvard street, Ward 25.
Minnie C. Falvey, 71 Strathmore road, Ward 25.

Reports severally accepted; orders passed.

(2) Reports on petitions (severally referred to-day), for licenses to sell, rent or lease firearms—recommending that licenses be granted, viz.:

Needle Brothers, 38–40 Pleasant street, Ward 4.
Alphonso Rogers, 3 Prince street, Ward 4.
Louis Kabatchnick, 150–152 Main street, Ward 5.
Bernard H. Goodrich, 4 Portland street, Ward 6.
Morris Benjamin, 67 Eliot street, Ward 7.
Theodore Rothe, 57 Warren street, Ward 18.

Reports accepted; licenses granted on the usual conditions.

(3) Report on message of Mayor, communication and order (referred to-day), transferring $4,820.62 to the appropriation for Dover Street Bridge—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

(4) Report on message of Mayor and order (referred to-day), that $3,500 be transferred to an appropriation for Savin Hill Park Improvements—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

(5) Report on message of the Mayor, communication and order (referred to-day), that $6,720.17 be transferred to he expended for Mystic Avenue Bridge—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

(6) Report on message of Mayor, communication and order (referred to-day), that $350 he appropriated to be expended hy the Art Commission for exhibit at the International Municipal Congress and Exposition at Chicago—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

(7) Report on message of Mayor, communication and order (referred to-day), transferring $7,000, to he expended under the direction of Commissioner of Public Works for West Fourth Street Bridge—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

(8) Report on message of Mayor and order (referred to-day), that a sum sufficient to provide pensions under the authority of chapter 113 of the Acts of 1911 for employees of the Watcr Service of the Sewer and Water Division of the Department of Puhlic Works as may he entitled to them he and herehy is appropriated—that the order ought to pass.

Report accepted; order passed; yeas 7, nays 0.

(9) Report on message of Mayor and communication (referred to-day) relative to cost of filling in Eagle Hill Reservoir, East Boston—that the same he placed on filc.

Report accepted; message and communication placed on file.

(10) Report on message of Mayor and communication (referred to-day) relative to Parker Hill Reservoir as a hathing place—that same he placed on file.

Report accepted; message and communication placed on file.

(11) Report on message of Mayor and communication from Fire Commissioner (referred to-day) relative to fire protection in the City of Boston—that the same he placed on file.

Report accepted; message and communication placed on file.

(12) Report and communication from Finance Commission (referred to-day) relative to fire protection in the City of Boston—that the same he placed on file.

Report accepted; message and communication placed on file.

(13) Report on message of Mayor and invitation (referred to-day) to attend the dedication of the Peace Monument at Atlanta—that the City Clerk send a letter of thanks accepting letter of invitation in hehalf of City Council.

Report accepted; said invitation accepted.

(14) Report on message of Mayor and order and resolution (referred to-day) concerning the use of Governor's Island hy the City of Boston—that the same ought to pass.

Report accepted; order and resolution passed.

(15) Report on message of Mayor, communication and order (referred to-day), that $60,000 be transferred to an appropriation for playground accommodations, Ward 19—that the order ought to pass.

Coun. SMITH—Mr. President, I feel bound to vote against this order hecause I do not care to have the $60,000 transferred to any place in Ward 19 and hecause there is a tail hitched to it carrying $40,000 additional. It does not necessitate our appropriating or horrowing $40,000 additional, but that $40,000 is mentioned in this order. It seems to me I would commit myself to $40,000 additional for playgrounds in Ward 19 if I voted in favor of this. Therefore I am going to vote against it.

Coun. CURLEY—I do not believe it is necessary to discuss this matter at any length. It has heen discussed in the committee hearing to-day. I do not feel that anyhody objects to $40,000 additional to provide a proper sum for playgrounds in Ward 19. Parker Hill is in Ward 19. Some three years ago the sum of $60,000 was appropriated in the form of a loan for a playground at that particular place. The Park Commissioners have held many meetings, and the citizens of that district have heen invited to those meetings. There was such a diversity of opinion as to where the playground should be located that the Park Commission—so I have heen informed hy Commissioner Prendergast, who asked me to call in his office in relation to the matter—he informed me that it was an impossibility for them to provide proper playgrounds there in spite of the fact that they had given the matter three years of study. He informed me that the playground at the top of Parker Hill did not represent the wishes of the people there, but he helieved it would be possihle for them to work out a playground proposition provided that they could have sufficient funds. I should think the elementary step would he to change the order so that it might read, "Ward 19 Playground," rather than "Playground at Parker Hill." That is the purpose of the order. It does not carry any additional money with it at this time unless the order for additional money is presented by the City Council. If Coun. Smith has an opportunity to talk with Commissioner Prendergast, or any of the memhers of the Park Commission, I feel that he will he just as eager to vote for the additional money that is necessary as any memher of the Council.

Coun. SMITH—If the order read simply the transfer of this to any section in Ward 19——

Coun. HALE—For a question of information, does not the order read that way?

The PRESIDENT—The Clerk will read the order.

The Clerk read the order.

Coun. SMITH—I shall amend my wording to say "the letter accompanying this by the Park Commission." You understand we are to appropriate $40,000 additional in order to enahle them to purchase a site somewhere else than Parker Hill. Their order was hased on the additional $40,000 which thcy supposed we would pass. If the citizens of Ward 19 are up in arms and cannot agree on where they want their playground, it is a shame. It is also a shame that the Park Commissioners cannot decide after all their investigations. There are several locations, I see in looking over the hill, where it is possihle to have the playground. If they cannot decide upon one of these sites it is regrettable. Nevertheless it is not the reason for us to appropriate $40,000. That is what I feel I personally am hinding myself to do hy this order. It is hardly necessary to go into this detail, as I feel the votes are against me.

Coun. CURLEY—Mr. President, I cannot conceive where Coun. Smith gets imbued with the idea that he is committed to an additional $40,000 hy the passage of this order. I do not helieve that he is. Personally I feel that the people of Ward 19 are entitled to a playground. It is unfortunate that they could not agree on a site at some time within the last three years rather than he deprived of the henefits and advantages of a playground for that length of time. Now, then, after three years of public hearings, puhlic agitation and puhlic meetings, the people who are to benefit by the playground, the people of Ward 19, give an expression of their ideas. In accordance with the expressed wish of the people of Ward 19, this communication is received. I do not see how we can do other than act on this communication, because those who have heard all the evidence of Ward 19 for three years have taken this action on the matter.

Coun. HALE—If the vote—the way Coun. Smith feels—does bind me to vote for the additional $40,000, I shall vote against it hecause I have not made up my mind yet that they can get a playground for $60,000, as I understand this allows the commissioners to get a site anywhere in Ward 19, instead of limiting them to one particular site.

Coun. SMITH—May I request that the Clerk read the accompanying letter.

The Clerk read the letter.

Coun. SMITH—It seems to me queer that the Park Commissioners have asked for this change in the wording to "$60,000 for the playground in Ward 19," hecause they anticipated having $40,000 to expend for the same purpose. It seems to me if I vote to change the wording of this in accordance with the request by the Park Commissioners that I am indirectly pledging myself to the $40,000 which they will need to purchase outside the Parker Hill district. I might say that last spring I requested of the Puhlic Works Department an estimate of how much it would cost to make the reservoir at the top of Parker Hill over into a bathing pool. That estimate has come down

to us to-day. It will cost $1,500. I have talked to the Mayor, and it is probable that he will send that request down to us some time this fall. If that is so they will have at the top of Parker Hill a very large space for a bathing pool—a very large space of no use to the Water Department—and large facilities for lockers and that sort of thing; so that they will really have a playground on the top of Parker Hill which can be used for skating in the winter and bathing in the summer. There is an additional appropriation, in fact, for bathing purposes in Ward 19. If outside of the Parker Hill district they spend this $60,000, it seems to me a very ample provision for them. I do not care personally to vote for the $40,000 additional. It seems to me by next year they will have a swimming pool on the top of Parker Hill and a $60,000 playground outside of the Parker Hill district. I personally feel that is sufficient for Ward 19.

Report accepted; order passed, yeas 6, nays 1, Coun. Smith voting nay.

CHELSEA BRIDGE.

President COLLINS called up No. 1, unfinished business, viz.:

1. Ordered, That the sum of two hundred fifty thousand dollars ($250,000) be appropriated, to be expended by the Commissioner of Public Works, for the construction of a temporary bridge across the north channel of the Mystic river, between the cities of Boston and Chelsea, said bridge to be built in conjunction with the city of Chelsea, under the statutes governing said joint construction, and to serve in place of the present structure, known as "Chelsea Bridge North," and that to meet said appropriation the City Treasurer be authorized, with the approval of the Mayor, to issue bonds or certificates of indebtedness of the city to said amount.

On July 17 tbe foregoing order was read once and passed, yeas 7, nays 0.

The order was given its final reading and passed, yeas 7, nays 0.

SALE OF LAND.

President COLLINS called up No. 2, unfinished business, viz.:

2. Ordered, That the Board of Park Commissioners be and hereby is authorized to sell, on such terms as said Board, with theapproval of the Mayor, may deem proper, a parcel of land in the Brighton district, so called, bounded southerly by Commonwealth avenue and northeasterly by Chestnut Hill avenue, and containing as shown on the atlas about 66,672 square feet, said land to be sold at public auction for not less than 75 cents per square foot per lot.

On July 17 the foregoing order was read once and passed, yeas 7, nays 0.

Coun. CURLEY—Coun. Smith informs me, and also Mr. Kiley informed the committee when this matter was under consideration, that land in the vicinity of this particular place was worth about 50 or 60 cents a foot, and he thought 60 cents would be a fairly representative price. I would accordingly move that this matter be laid on the table at this time so that the Committee on Public Improvements may have an opportunity to ascertain the value of the land.

The order was laid on the table.

COUNTY ACCOUNTS.

Coun. CURLEY, for the Commlttec on County Accounts, submitted the following:

(1) Reports on pay roll of Register of Deeds (referred to-day), amounting to $3,184.67, from June 26 to July 24—that the same be approved.

Report accepted; pay roll approved and ordered paid.

(2) Report on pay roll of Register of Deeds from July 24 to August 21 (referred to-day), amounting to $3,200.41—that the same be approved.

Report accepted; pay roll approved and ordered paid.

(3) Report on message of Mayor and order (referred to-day) for transfer of $2,500 for expense of Commission on Inferior Courts—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

RED LIGHTS, FIRE-ALARM BOXES.

Coun. CURLEY offered an order—That the Fire Commissioner be requested, through his Honor tbe Mayor, to make the necessary arrangements to designate each of the fire-alarm boxes in the streets of the city by a red light, and to have displayed in a prominent position at each box a printed form of instructions for giving an alarm.

Coun. CURLEY—I would say in this connection that the matter was called to my attention by a lieutenant in the Fire Department, who stated that the average person ringing in an alarm simply pulls thc handle, and when he hears the bell inside ring be labors under the impression that he has done all he is called upon to do. As a matter of fact, it is necessary to pull down the hook. On a great many boxes be informs me that there are no printed instructions. He states that a number of serious fires of late have been due to the fact that those turning in the alarm have labored under the impression that when they had opened the door they had given the alarm. I feel that it is possible to adopt some system of door, whereby the connection might be made by opening the door in the center of the regular door, and when the handle is turned it will ring the alarm. In case it is impossible to do that, it is possible at least to place a red light over each fire-alarm box and to give sufficient publicity to the method of ringing in an alarm to have the public thoroughly informed as to the necessary thing to do to ring in the alarm.

Passed.

NEXT MEETING.

Coun. HALE moved that when the Council adjourn it be to meet on Monday, September 11, at 2 p. m.

The motion was carried.

GENERAL RECONSIDERATION.

Coun. CURLEY moved a general reconsideration, hoping the same would not prevail. Lost.

SALE OF CHARLESTOWN ALMSHOUSE.

Thc President called up No. 3, unfinished business, viz.:

3. Ordered, That the Boston Infirmary Trustees bc and hereby are authorized, with the approval of the Mayor, to sell to the Boston Elevated Railway Company for a sum not less than seventy-two thousand dollars ($72,000) the property in the Charlestown district known as the Charlestown Almshouse, with the land connected thcrewith, containing about 102,400 square feet, and upon such sale his Honor the Mayor is hereby authorized, in the name and behalf of the city, to execute a deed satisfactory to the Law Department, conveying said premises to said company for a consideration not less than seventy-two thousand dollars ($72,000), to be determined by said trustees and approved as aforesaid.

On July 17 the foregoing order was read once and passed, yeas 6, nays 0.

The order was again passed, yeas 6, nays 0, Coun. BUCKLEY not voting.

Later in thc session Coun. BUCKLEY said: Mr. President, when No. 3 was votcd on I did not vote. I should like to move reconsideration of the vote whereby that was passed. The only reason I have in mind is this: I noticc on the calendar there are 102,000 feet of land in that property to be sold for $72,000. I did not know before just how many square feet there were. It seems to me that property ought to be assessed at a higher valuation than that.

Coun. CURLEY—Mr. President, I rise to a point of order that general reconsidcration of all orders and motions and business transacted at this meeting having obtained, no second reconsideration is necessary.

The PRESIDENT—The Chair rules that the point of order is well taken.

Coun. BUCKLEY—I tried to get the Chair's recognition when the vote was being put.

Coun. Buckley was then given unanimous consent to speak.

Coun. BUCKLEY—I do not want to speak if it does not do any good. It is simply a case where I

do not think it is exactly right to rush that thing through in view of the fact that there are 102,000 feet of land there.

A motion to adjourn by Coun. CURLEY was declared lost, whereupon the vote was doubted, and on the call of yeas and nays the vote was 4 yeas and 3 nays.

Coun. HALE—I move that we rescind the vote by which we passed No. 3 on the calendar.

(Carried unanimously.)

Coun. BUCKLEY—Mr. President, I move that No. 3 lay on the table until the next meeting.

(The Chair declared the vote carried, whereupon Coun. CURLEY doubted the vote, and on the call of the yeas and nays there were 4 yeas and 2 nays.)

Coun. SMITH—I move reconsideration of that vote and ask for three minutes intermission.

The PRESIDENT—The Chair will grant Coun. Smith his request.

A recess was taken and the meeting called to order by the President at 5.53.

Coun. SMITH—I would like to withdraw my motion for reconsideration. The member from Charlestown has said that by the next meeting he would be prepared to act finally on this subject.

The PRESIDENT—If there is no objection, the motion is withdrawn.

Adjourned at 5.55 p. m., on motion of Coun. HALE, to meet on Monday, September 11, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Friday, August 25, 1911.

Special meeting of the City Council, held for the purpose of drawing jurors, in the Council Chamber, City Hall, at twelve o'clock m., President COLLINS in the chair and a quorum present.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894, viz.:

Four grand jurors, United States District Court, to appear September 12, 1911:

Josiah B. Scott, Ward 24; Daniel J. Keefe, Ward 15; David W. Fowler, Ward 1; Samuel Jackson, Ward 12.

Seven petit jurors, United States District Court, to appear September 12, 1911:

James B. Hatch, Jr., Ward 20; William E. Lee, Ward 18; Thomas Landry, Ward 2; Charles A. Woodsome, Ward 20; Patrick T. Cronin, Ward 20; Seymour H. Stone, Ward 23; John W. Heffernan, Ward 3.

Adjourned at 12.06 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, September 11, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President COLLINS in the chair. Absent—Coun. Hale.

The Council voted, on motion of Coun. ATTRIDGE, that the reading of the records of the last meeting be dispensed with.

HEARING AT TWO O'CLOCK.

1. On application of the directors of the association for the formation of the Boston & Eastern Electric Railroad Company asking that the route of said railroad within the limits of the City of Boston be fixed as shown on plan accompanying said application.

A number of people appeared for and against the application. Those appearing against it were mainly East Boston residents, who did not object to the granting of the application, but who wished it understood that there should be three or more stations established in East Boston. The East Boston people so appearing were Ex-Alderman Thomas J. Giblin, William T. Carlisle, Fred G. Trask, D. C. Trainor, George B. James, representing the East Boston Land Company, Ex-Representative Bernard F. Hanrahan and Representatives Brophy and Prendergast. While some of the speakers announced preferences for the location of stations, they did not think that their opinions should necessarily be binding, but that the matter should be left to the proper authorities—it being understood, however, that there should be three or four stations in East Boston. A vote of the East Boston representatives taken on the matter first showed twenty-two in favor of three stations and three (Messrs. Hanrahan, Brophy and Prendergast) in favor of four; and a second vote was unanimous in favor of four stations.

Some question was raised by Coun. Smith as to whether the people of East Boston were not paying an undue share of the expense of travel in the tunnel as compared with the amount to be paid by people in other cities and towns, but Mr. John H. Bickford, representing the company as an engineer, stated that he had tried to arrive at figures that would be fair to all portions of the community and would at the same time give a fair return to the road.

Judge Edward L. Logan represented the company and stated briefly the reasons for the application, as set forth under the terms of the statutes, and he called upon Mr. Bickford to make a statement as to the proposed route. Mr. Bickford did so, as follows:

The tracks are supposed to start a little southeasterly of the line of Congress street, where it enters Post Office square, being a subway at that point, and continuing in a subway under Liberty square and Water street under private property, between Broad street and India square, under India square to Central street and under Central street, crossing under Atlantic avenue; then under a portion of Central Wharf to the harbor, and under the harbor to a point northwesterly of land which was originally occupied by the Boston & Maine Railroad, or, we will say, a little south of the South Ferry, coming under a portion of the slip that is there,—under a portion of the land itself; then crossing under Marginal street, under Webster street, under Sumner street, under Maverick street, going intermediate between those streets under some private property crossing under the right of way of the Boston & Albany Railroad, continuing to a point where the tunnel emerges, which is about at Decatur street, and then continuing across under Porter street, and then on to the unoccupied land that there is there in East Boston, parallel to Orleans street,—about 250 feet southerly of Orleans street,—continuing parallel until we get to Neptune road, or avenue, whichever it is called,—going under Neptune road, and then through private property between that and Bennington street; then under Bennington street and through private property between that and Saratoga street, and then under Saratoga street and under private property between Saratoga street and Pope street; then under Pope street and through private property under Curtis street; and then through private property southerly of the old right of way of the Boston & Maine Railroad to Breed's Island, crossing the Boston & Maine Railroad property at Breed's Island. That is substantially the route in Boston.

Mr. Charles A. Williams, representing himself as a property owner, raised a question as to whether the tunnel would go under certain property. Judge Logan said that that was a matter that would be settled under the wording of the Acts.

Coun. CURLEY—Will the width of the tunnel exceed the width of the street along this portion that the gentleman refers to,— the width that is asked for by the company?

Mr. LOGAN—That is an engineering question.

Coun. CURLEY—No matter what kind of a question it is, I would like an answer to it.

Mr. BICKFORD—With the exception of under Water street just east of India square, to Congress street, it would not be wider than the street. From that point to Congress street it is wider than Water street, for the reason that we have got to have ample room for a subway station, with exits and entrances. And I have no objection to saying now for Mr. Williams that it would be necessary to take an easement under some property on the southerly side of Water street.

President COLLINS—Are you able to describe specifically just what property and how much?

Mr. BICKFORD—It is not given here on the plans in detail. I would not at this moment.

Mr. Robert Homans thought that under the statutes the City Council had no control over the location of the subway, but merely on the route above ground, and Judge Logan said he thought that was so.

After some questions by Coun. Attridge as to the probable desirable locations for stations in East Boston, upon which there seemed to be a slight difference of opinion, the President announced that the matter would be taken under advisement, and later in the meeting it was taken up and referred to the Executive Committee.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894, viz.:

Thirty-five traverse jurors, Superior Civil Court, First Session, October Sitting, to appear October 2, 1911:

Michael F. O'Brien, Ward 9; William A. Murtfeldt, Ward 16; Daniel L. Carroll, Ward 13; William Wilson, Ward 20; Patrick F. O'Brien, Ward 14; Benjamin Edwards, Ward 16; James W. Linehan, Ward 16; William E. Gilman, Ward 20; Butler T. Emery, Ward 24; John P. Kelley, Ward 17; John T. White, Ward 10; Edward H. Kearney, Ward 6; Sidney F. Squires, Ward 10; Thornton F. Stone, Ward 20; Joseph Daly, Ward 22; Jeremiah McCarthy, Ward 3; Oscar F. Weden, Ward 22; Patrick Carr, Ward 11; John C. Rasch, Ward 23; Arthur L. Sanborn, Ward 16; Richard McNally, Ward 5; Alexander D. Remick, Ward 11; Charles P. Brackett, Ward 24; Walter H. Stafford, Ward 1; William M. Ryan, Ward 3; Mark W. Little, Ward 21; Charles W. Johnson, Ward 18; Herman M. Rich, Ward 20; Albert A. Stewart, Ward 15; Silas M. Stevens, Ward 1; Lawrence S. Dewey, Ward 21; James Lewis, Ward 14; John J. Buckley, Ward 24; Jacob W. Miller, Ward 20; William J. Powers, Ward 2.

Thirty-five traverse jurors, Superior Civil Court, Second Session, October Sitting, to appear October 2, 1911:

James G. Langdon, Ward 22; John Shanahan, Ward 5; Pierce Powers, Ward 16; Gustav A. Quiring, Ward 10; William G. Newman, Ward 23; William Slater, Ward 21; Joseph Cavagnaro, Ward 8; Frank I. Hanson, Ward 15; James S. Flynn, Ward 1; Charles A. Richardson, Ward 20; Benjamin W. Young, Ward 23; George A. Magee, Ward 1; William G. Adams, Ward 15; James F. Horne, Ward 7; George W. Yeaton, Ward 20; Theophilus Phillips, Ward 22; Francis M. Edwards, Ward 20; Sam P. Negus, Ward 11; Daniel McCarter, Ward 2;

Jeremiah T. Murphy, Ward 15; J. Emmons Cotter, Ward 22; Daniel J. Maher, Ward 13; Richard Connors, Ward 21; John M. Larkin, Ward 18; Edward J. Sheehan, Ward 24; John J. McCarthy, Ward 3; George F. Schayer, Ward 19; Michael J. Condon, Ward 13; Frank A. Woodhury, Ward 2; Joseph Vey, Ward 13; Frank Burns, Ward 19; Ralph E. Gray, Ward 19; Walter L. Carey, Ward 18; Andrew F. Pendergast, Ward 21; James F. Nolan, Ward 19.

Thirty-five traverse jurors, Superior Civil Court, Third Session, October Sitting, to appear October 2, 1911:

Cornelius J. Donahue, Ward 2; Charles F. Spargo, Ward 24; John J. Reilly, Ward 16; W. Russell Crump, Ward 24; Patrick Quigley, Ward 4; Harry H. Peck, Ward 12; Frederick E. Cotter, Ward 2; George F. Amory, Ward 19; Ambrose S. Dowling, Ward 16; William J. Doherty, Ward 16; Andrew C. Reggio, Ward 11; Howard J. Clark, Ward 23; William Grant James, Ward 11; Bernard A. McGinty, Ward 25; Henry P. Nickerson, Ward 9; Joseph E. McAllister, Ward 22; John Boyce, Ward 1; James Dempsey, Ward 24; Patrick J. Donovan, Ward 3; James H. Kelly, Ward 22; George C. Kingsbury, Ward 20; Wilhur S. Rich, Ward 15; Samuel Davis, Ward 20; Walter H. Grose, Ward 21; Bernard J. Malone, Ward 4; John R. Barrett, Ward 14; Frederick W. Fogg, Ward 16; Michael D. Martin, Ward 15; Samuel M. Norton, Ward 7; Edward A. Page, Ward 12; Walter V. Batson, Ward 25; Christian Weigold, Ward 22; Samuel F. Hardy, Ward 20; Thomas P. Cumins, Ward 25; Howard G. Salisbury, Ward 20.

Thirty-five traverse jurors, Superior Civil Court, Fourth Session, Octoher Sitting, to appear October 2, 1911:

Harry L. Ahhott, Ward 15; Harry L. Raymond, Ward 18; David W. Benjamin, Ward 25; Horace Weener, Ward 19; James H. L. Clegg, Ward 17; Ulmer H. Manning, Ward 7; Dennis R. Donovan, Ward 1; Charles A. Stearns, Ward 25; George E. Manton, Ward 16; John B. Murphy, Ward 11; John I. Whelan, Ward 1; D. Lloyd Evans, Ward 12; Ruhin Levine, Ward 9; Louis Jacohowitz, Ward 8; George A. Warren, Ward 23; Richard H. Rohinson, Ward 23; Washington B. Thomas, Ward 11; John J. Walsh, Ward 15; Gorham L. Damon, Ward 14; Martin F. McDonnell, Ward 12; Winfield S. Reid, Ward 23; James C. Sullivan, Ward 14; Patrick H. Brennan, Ward 13; Timothy W. Condon, Ward 13; Walter C. Blodgett, Ward 17; Joseph H. Murphy, Ward 14; William J. Loughan, Ward 23; Guy M. Lincoln, Ward 10; Jeremiah J. Curtis, Ward 15; Joseph F. Woods, Ward 11; Lawrence McCarthy, Ward 15; Michael J. Bonner, Ward 6; Frank J. Purchase, Ward 1; John Hegarty, Ward 18; Herbert G. Wilhur, Ward 16.

Thirty-five traverse jurors, Superior Civil Court, Fifth Session, Octoher Sitting, to appear October 2, 1911:

Isaac Park, Ward 20; Jeremiah J. Callahan, Ward 20; Herhert V. Mitchell, Ward 21; Daniel S. O'Brien, Ward 16; Henry Erath, Ward 23; Henry G. Muller, Ward 18; Clarence J. Morrissey, Ward 16; Charles O. Danforth, Ward 24; Herman Popp, Ward 22; Peter Bogan, Ward 4; Edward S. Haskell, Ward 1; William L. Rowean, Ward 13; Charles Harris Furber, Ward 16; James F. Ryan, Ward 13; Vincent Brow, Ward 24; Asa H. Morrill, Ward 20; Charles H. Stone, Ward 10; William H. Mills, Ward 11; Rowland G. Evans, Ward 12; Eugene H. Gordon, Ward 20; Dickram M. Shooshanian, Ward 12; Fred H. King, Ward 25; William H. Kingsbury, Ward 22; Frank P. Walker, Ward 21; John P. Morrison, Ward 1; Thomas F. Garrity, Ward 6; Augustus G. Benersani, Ward 23; Frederick J. Young, Ward 9; Oscar S. Staples, Ward 24; John J. O'Shea, Ward 11; Frederick S. Crouse, Ward 24; John H. Flood, Ward 23; W. Lester Jones, Ward 17; Michael Calnan, Ward 13.

REMOVAL OF REFUSE, ETC.

The following was received:

City of Boston,
Office of the Mayor, Septemher 11, 1911.

To the City Council:

The Commissioner of Public Works has suhmitted to me to-day the appended draft of ordinance relative to the refuse matter which the Public Works Department shall remove from yards and areas, with the recommendation that I transmit the same to your honorable hody for action. This draft of ordinance amends chapter 9 of the Ordinances for 1910, as amended hy chapter 1 of the Ordinances of 1911, and is a suhject which should receive the careful consideration of your honorahle hody.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Public Works Department, September 11, 1911.

To the Honorahle the Mayor:

Inclosed find proposed draft of ordinance, prepared by the Corporation Counsel, defining with some degree of particularity the refuse matter to he removed hy the Public Works Department. If yeu approve of this ordinance, I would suggest that it he transmitted to the City Council for action.

Respectfully,
L. K. ROURKE,
Commissioner of Puhlic Works.

City of Boston.
In the Year Ninetcen Hundred and Eleven.
An Ordinance.

Be it ordained by the City Council of Boston, as follows:

Section one of chapter nine of the Ordinances of 1910 as amended hy chapter one of the Ordinances of 1911 is hereby further amended hy striking out after the word "watered" in the twelfth line the following: "shall remove from yards and areas when so placed as to be easily removed, all ashes accumulated from hurning of mateiials for heating hahitations, cooking and other domestic purposes, house dirt, house offal, and all noxious and refuse substances; and shall, when requested hy the proprietors or managers thereof, remove empty hoxes, packages, packing and other store refuse from shops, storcs and warehouses at the reasonable cost of such removal," and inserting in place thereof the following: "shall remove and dispose of the following classes of refuse from dwelling houses and from housekeeping apartments or tenements, when the same is placed in yards or areas so as to be easily removed, free of charge to the producers of such refuse and to the owners and occupants of such dwelling houses, apartments and tenements, viz.: swill and kitchen garhage, dust and sweepings, ashes from fires used wholly or principally for heating or cooking, waste paper, cardboard, string, packing material, sticks, rags, waste leather and ruhher, hoxes, barrels, hroken furniture and other similar light or combustihle refuse; tins, hottles, jars, broken glass, hroken crockery, bones, shells, waste or hroken metals and all other similar heavy or incombustihle refuse. But the department shall not so take any such refuse from hotels, apartment hotels, restaurants, shops, stores, nor from any other huilding whatever except those first hereinhefore enumerated and except buildings occupied hy the city. The department shall not so take the refuse of manufacturing or mercantile business, nor dead animals, manure, grass, garden refuse, leaves, plaster, building materials, earth or stones except from premises occupied by the city, but the department shall take and dispose of any refuse upon payment by the producer thereof to the city of such compensation as the commissioner of puhlic works shall from time to time prescrihe," so that said section, as amended, shall read as follows:

Section 1. The department of public works which is herehy estahlished shall he under the charge of the commissioner of public works, who shall he a civil engineer of recognized standing in his profession; who shall construct all streets and sewers; shall have discretionary power as to the grades, materials and other particulars of construction of streets, sidewalks and sewers; shall have charge of and keep clean and in good condition and repair the streets, all sewer systems under the control of the city and the catch-hasins in the streets connected with the sewers; shall keep the streets properly watered; shall remove and dispose of the following classes of refuse from dwelling houses and from housekeeping apartments or tenements, when the same is placed in yards or areas so as to be easily removed, free of charge to the producers of such refuse and to the owners and occupants of such dwelling houses, apartments and tenements, viz.: swill and kitchen garhage, dust and sweepings, ashes from fires used wholly or principally for heating or cooking, waste paper, cardboard, string, packing material, sticks, rags,

waste leather and rubber, boxes, barrels, broken furniture and other similar light or combustible refuse; tins, bottles, jars, broken glass, broken crockery, bones, shells, waste or broken metals and all other similar heavy or incombustible refuse, But the department shall not so take any such refuse from hotels, apartment hotels, restaurants, shops, stores, nor from any other building whatever except those first hereinbefore enumerated and except buildings occupied by the city. The department shall not so take the refuse of manufacturing or mercantile business, nor dead animals, manure, grass, garden refuse, leaves, plaster, building materials, earth or stones except from premises occupied by the city, but the department shall take and dispose of any refuse upon payment by the producer thereof to the city of such compensation as the commissioner of public works shall from time to time prescribe, all moneys so received to be used in paying the expenses incurred by the department in said removal; shall, on the fifteenth day of each month, send to the city auditor detailed bills of all material, tools and machinery furnished by either of the divisions of said department to any other such division or for any special work.

Referred to the Committee on Ordinances.

NEW HEALTH BOAT.

The following was received:

City of Boston,
Office of the Mayor, September 11, 1911.

To the City Council:

I transmit herewith a report made to me by Mr. James Donald, naval architect, upon the condition of the steamer "Vigilant." An order transferring $48,000 from the Reserve Fund to a special appropriation to be expended in constructing a new boat to take the place of the "Vigilant" is now pending before your Executive Committee and in view of the importance of this matter I recommend the speedy passage of this order.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Public Works Department,
August 28, 1911.

To the Honorable the Mayor:

In regard to the steamer "Vigilant," I send herewith a report of James Donald, naval architect, relative to the same; also a communication from Division Engineer Fay.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

City of Boston,
Public Works Department,
Bridge and Ferry Division, August 26, 1911.

Mr. L. K. Rourke,
Commissioner of Public Works:

Dear Sir,— Having been requested by Mr. William A. Leahy, Mayor's Secretary, to engage a competent naval architect to make an examination and report upon the Health Department steamer "Vigilant," I have been able to secure the services of Mr. James Donald, who, after examination of the boat, has made a report, which I forward herewith.

Mr. Donald is in consulting practice as naval architect at 17 Victoria street, Westminster, London, England. At present he is at the Fore River Shipbuilding Company's plant at Quincy, as representative of the New York Shipbuilding Company, in connection with the building of the two Argentine battleships. Prior to his engaging in consulting practice in London he was for a number of years the naval architect of the New York Shipbuilding Company of Camden, N. J., one of the largest of the American shipyards; and he has also had several years experience as naval architect of both wooden and steel ships on the Pacific Coast.

Mr. Donald has a wide professional experience covering a period of about twenty-five years, and I believe the city is fortunate in being able to secure the services of this expert.

Respectfully,
FREDERIC H. FAY,
Division Engineer.

James Donald, Naval Architect,
66 Chestnut Strect, Boston, Mass.,
August 25, 1911.

("Vigilant.")

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,— Please find herewith report on condition of steamer "Vigilant," and recommendations in connection with the same.

Yours respectfully,
JAMES DONALD.

[COPY.]

James Donald,
Naval Architect,
Boston, Mass., August 25, 1911.

SCREW STEAMER "VIGILANT."

This vessel is employed in Boston Harbor for the Quarantine Department:

Inspection.

Vessel was inspected by J. Donald on the 21st and 22d of August, 1911, at Long Wharf, Boston, on trip to meet S. S. "Winifredian" and return, and at Atlantic Works, East Boston.

Hull.

Outside planking on starboard side, about 2 feet below upper rubbing piece, and close to stem, a piece was removed and the remainder of the plank removed was found to be decayed and could be taken off with one's fingers. The timbers or frames were found to be rotten and could be all removed without using any workman's tools.

Outside planking on starboard side, immediately below the upper rubbing piece, and about 3 feet below, forward of deck house, a piece was removed uncovering two timbers or frames. Planking was found to be in moderate condition. One frame exposed was completely rotten and crumbled when touched; the other frame in good condition, but showed beginning of decay.

Outside planking on starboard side, two strakes below upper rubbing piece, and about 5 feet from after end of counter, a piece was removed. The planking was found to be in moderate condition, the timbers or frames were found to be soft and rotten and could be removed by hand without the use of tools. In the lazarette abaft the engine room on the port side a piece of inside ceiling was removed. The frames were in good condition but there were signs of leaking as the inside of outside planking was wet.

Bulwarks.

The bulwarks amidships show considerable working, openings appearing at the butts and in deck covering board when vessel touches the wharf or any other vessel slightly. This happens in way of engine and boiler room where there are no through deck beams. Round the stern the bulwarks have evidently been repaired and fastened to the old deck covering board and no knees or brackets fitted. If the bulwarks at this part come in contact with a dock or a vessel in a seaway, the whole bulwark here is liable to be entirely moved from position.

Deck planking is in very bad condition and requires renewing. The deck amidships, abreast boiler room, has sunk about 3 inches or the amount of the camber; this is undoubtedly owing to the want of support at opening for machinery. Beams at this part show considerable working at deck house coaming. All beams, except three, are bolted to covering board without knees.

Deck house deck coaming is in bad condition, and has only a depth of 1 inch at doorways instead of about 4 inches, so as to prevent any water washing on deck and entering the various rooms in the deck house.

Towing bitts aft require to be strengthened if towing is ever contemplated.

Engine and Boiler Rooms.

Engine and condenser were built twenty-five years ago and require overhauling, especially the condenser at the joints. Piping requires renewing in some places. To make a good repair the deck and deckhouse would require to be opened up so as to get at the condenser.

In way of the water tanks on the lower side, the inside sheathing is very rotten and has a plate covering fitted. The water tanks have never been moved from their original position (twenty-five

years ago) and it is very certain that the unexposed woodwork at back of tanks is rotten, owing to lack of air and attention. The tanks are rusted through.

The shaft log across after end of engine room is rotten in way of shafting and should be removed, and if this is done very great expense would be incurred.

The boiler is twelve years old and is now too close to the wood bulkheads, according to the latest regulations. There is great liability to fire through the proximity to woodwork. It was not possible to examine the woodwork underneath the boiler, but there is no doubt that considerable decay would be found owing to the water that drains to this part and the great heat from the boiler.

The steel sheathing inside the coal bunkers requires renewal.

Boilers require patching and stay bolts examined and repaired.

Accommodation.

There are below the deck, forward of the machinery, two rooms — the forward one being occupied by the captain. The clear headroom or distance from top of deck to underside of beams is 5 feet 9 inches; this, as in all rooms, should not be less than 7 feet. According to the United States Navigation Law, 2d of March, 1895, each member of the crew should have 12 square feet clear deck space or 72 cubic feet, and their quarters should be properly lighted, drained and *ventilated*, under penalty of a fine. It is true that this does not legally apply to this vessel as she was built prior to the passing of this law, but surely the City of Boston would see to it that their employees who make their home on the vessel should be cared for according to the latest practice.

The United States Navigation Law as regards steerage passengers calls for 21 square feet of clear deck area and if the light and air to their quarters is less than 3 square feet for every 100 square feet of clear deck area, then every steerage passenger is required to have 30 square feet of clear deck area.

In the room on the "Vigilant" for the captain, the clear deck area is 14 square feet, and the cubical capacity is 77 cubic feet. This room is, therefore, slightly larger than that required by law but it is not properly lighted and ventilated as required by law, as there are only two 4-inch diameter *fixed* sidelights and two small fixed deck lights; the iron deck scuttle that has been fitted is useless as it would be dangerous to have an uncovered opening on deck — any one being liable to step into same and also because of the rain or sea water washing over into the room. It is only of use as an exit in case of emergency. It therefore is reasonable to apply the steerage passenger requirement of 30 square feet deck area and this the present room is far short of.

In the room located between the captain's room and the machinery there are three persons. The headroom here is also too small, being only 5 feet 6 inches in the clear. The deck room in this room is 15 square feet per person and the same objection arises as in the captain's room, as the only ventilation is through the hatch for exit and this opens into the dining room on the deck above and has no direct ventilation owing to the galley stove and the doors in the dining room.

On the port side, immediately before the machinery, there is a room for one member of the crew with no ventilation whatever. The clear deck area is only 10.25 square feet and the capacity 56.37 cubic feet against the lawful requirement of 12 square feet and 72 cubic feet. There is no sidelight to this room and light is obtained through one small deck light.

The sleeping births in all above rooms are too close to the beams—in one case being only 12 inches clear from top of bed to underside of beams.

Abaft the engine room there is a lazarette where two men are expected to sleep. It would be more truthfully called a store room. The clear headroom of this place is 4 feet 9 inches and each man has 9 square feet or 42.75 cubic feet instead of the legal 12 square feet and 72 cubic feet. The ventilation is through a flash scuttle.

The ventilation of these rooms was recorded and the temperature of the forward rooms was actually 86 degrees Fahrenheit, while the outside temperature was 78 degrees Fahrenheit.

The temperature of the engine room was at the same time 117½ degrees Fahrenheit.

From the above actual conditions it is clearly seen that the living quarters for the seven members of the crew are altogether inadequate and not conducive to the health or efficiency of the men.

It was noted that the bulkhead between the fireroom and the forward accommodation had a door in it. This tended to increase the temperature in the forward living quarters and there was no door in the bulkhead between the engine room and the lazarette, making the latter unbearable for living in.

Safety.

The forward bulkhead is the only solid bulkhead in the vessel as there is a non-watertight door in the amidship one and an opening in the after one. In the event of the hull being pierced, through collision or otherwise, at any part abaft the forward bulkhead the vessel would fill up and certainly sink.

The freeboard of the vessel or the distance from the top of the deck to the water is only 15 inches when the vessel has her crew on board and two tons of coal. With her full complement of 100 passengers, crew, and full load of coal in bunkers, this freeboard would be reduced to about 9 inches. With the vessel loaded and in a light sea the waves would flood the deck through the deck scuppers. As the coal scuttles are located at the lowest depth of the vessel and, therefore, nearest the water, and as they are practically flush with the deck, the water is liable to find its way into the coal bunkers and cause sinking of the vessel. The question of the freeboard of this vessel is a serious one and unless great care is taken, serious trouble will happen.

Service Engaged In.

There is a cabin at the after end of the deck house for the transport of sick people and is not suitably fitted for same. An independent room should be arranged as a dispensary and doctors' office.

Reasons for Replacing "Vigilant."

Very bad structural condition.

Continual expensive repairs needed to hull and machinery. It would not be advisable to try and put this vessel into good condition, because as the framing and topsides were opened up and repaired, more deterioration would be found. The deck would require to be taken out and renewed to get at the machinery. In fact, the complete upper works would require to be opened up and more expense caused than the value of the vessel; at the same time the vessel would not be improved as regards accommodation or safety.

Obsolete and uninhabitable accommodation for crew.

Danger from want of efficient bulkheads.

Danger from freeboard.

Unsuitability for quarantine service.

Recommendations.

This vessel should be replaced by an up-to-date vessel of larger dimensions. The depth should be sufficient to give a minimum freeboard of 2 feet; this together with a good sheer would insure sufficient headroom for the sleeping quarters below. The captain's room could be located abaft the wheelhouse on the top of the deckhouse, and the remainder of the quarters are located forward below.

Three solid bulkheads should be fitted.

The ventilation should be carefully arranged by means of cowl ventilators, and the machinery space should have good headroom in the deckhouse with large skylight and large windows to open on sides of deckhouse.

In the after end of deckhouse there should be a large room fitted with cots for patients; also a combined dispensary and doctors' office with long sofa, and a toilet.

JAMES DONALD.

Referred to the Executive Committee.

CONDITIONS AT CITY HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, September 11, 1911.

To the City Council:

I transmit herewith a communication from the president of the Board of Trustees of the City Hospital, outlining the conditions prevailing at the South Department of the Hospital. I have already transmitted to your body two communications covering this same subject and there is now pending before your Committee on Finance a draft of

loan order appropriating two hundred ninety-seven thousand eight hundred dollars ($297,800).

This is a matter which should receive the earnest attention of your honorable body and I trust that the consideration of it will not be further delayed.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

The Boston City Hospital,
Boston, September 7, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—At the meeting of the Board of Trustees beld on Thursday, the 24th ult., the question of the urgent need of the enlargement of the South Department was again considered, and tbe president was requested to address his Honor the Mayor on the subject. May I therefore say tbat while this need has been made so manifest by tbe trustees in various communications, I beg to further indicate the necessity for prompt action to relieve the pressure from these contagious wards.

Tbe wards are practically overcrowded every winter, and even then all the cases are not accommodated as previously explained. This means poor air, whicb is very unfavorable in the acute infectious diseases, close contact of too many children and great effect on cross infection, and difficulty in securing proper care of tbe patients.

The hospital has been lately publicly criticised for want of better facilities in this direction. Tbere is no room available when an epidemic occurs, so that delay, inconvenience and expense are occasioned before the cases are cared for, with increased danger to the public.

The isolation facilities are very deficient and insufficient. Mixed cases are common, scarlet fever and measles or measles and whooping cough and any combination of two or more infectious diseases, and these cannot be as well cared for with safety as they should be. In doubtful cases, sucb as occur where the diagnosis can be made only after watching the course for a time, no proper facilities are available in Boston. These cases are not infrequently housemaids, men servants, waitresses and others who have no home here and no friends, and are so situated as to be a source of danger to others, as well as suffering for lack of proper care themselves.

Tbe old wards also need certain alterations, with a view to improving the bospital work of infectious disease treatment. Open air wards, gown rooms, and better wasbing facilities for the hands are needed so as to avoid carrying disease from one ward to another. Witb the exception of adding room for measles, wbicb your Honor recommended under your former administration, no important change has been made in tbe South Department since it was built, nearly sixteen years ago. The trustees desire most earnestly, therefore, to again call your Honor's attention and that of the Honorable City Council to the immediate great need of additional accommodations for this most important branch of tbe City Hospital which is so necessary for safeguarding the public health, and again urgently request an early consideration of the loan appropriation asked for in letter of June 9, addressed to your Honor, of wbich I inclose herewith a copy.

I have the bonor to remain, on bchalf of the trustees,

Very respectfully yours,
A. SHUMAN,
President Board of Trustees.

—

Boston, June 9, 1911.

Hon. John F. Fitzgerald,
Mayor of the City of Boston, and tbe Honorable City Council:

Gentlemen,—On December 2, 1910, I addressed a communication to your Honor (of whicb the inclosed is a copy) setting forth the increasing need of greater accommodations for the South Department, and asking for an appropriation of $297,800 for new buildings, changes and additions as itemized tberein, to which I again respectfully refer. Since that time the demand for accommodations for the care of patients ill with infectious diseases bas been constantly increasing, and we bave reached a point wbere this department is practically filled to its utmost capacity, and further accommodations are immediately needed.

If we compare foreign cities with Boston, we sball find that in London, in Glasgow, and in continental cities, tbere are accommodations for patients ill with infectious diseases, giving each patient 1,500 cubic feet of air space for nine out of every 10,000 of the population. In Boston there are accommodations for only three out of every 10,000 of the population. The importance of this air space cannot be overestimated. The number of cases of cross infection is very much increased when a hospital is crowded. Aside from that, patients with limited space do not do as well as where they have an abundant supply of air space. Additional accommodations are therefore greatly needed for the care of scarlet fever patients.

Anyone familiar with the history of infectious diseases in Boston for the past fifteen years must be convinced of the wonderful amount of good accomplished by tbe South Department during that time. For example, the death rate at the Boston City Hospital previous to the days of antitoxin, for cases of laryngeal diphtheria, was about 85 per cent.

In all cases of diphtberia the percentage of mortality from 1895 to 1909 bas been 10.70, as compared with 43.20 before the opening of the South Department. In 1894 eigbteen people out of every 10,000 in Boston died from diphtheria; in 1910, two and a fraction.

It is well to bear in mind that the average ratio of mortality per 10,000 of tbe population in Boston from scarlet fever previous to tbe opening of the South Department was 2.87. Tbe average ratio of mortality from 1895 to 1909, inclusive, was 1.61, a diminution of nearly one-balf. If every patient who applied for treatment could have been promptly taken into the bospital, the ratio of mortality and ratio of morbidity would bave been very much reduced.

In the new building at the South Department it is intended to have a roof garden, in order that tbe cbildren may have tbe benefit of open air treatment. It is also intended to bave open air wards in the buildings already erected, which is covered by the items referring to changes in East and West Pavilions.

The accommodations for laundry work at tbe South Department must be increased, and tberefore an additional story must be added to the laundry building, as the laundry, being of an infectious nature, must be done on the premises.

The alterations to tbe Paine buildings, tbe connecting corridors, pipes and tunnels, and the yard wall, are all items that become necessary with the additional buildings and enlargements.

A second and very important reason wby additional buildings should be erected is the fact that the accommodations for nurses are inadequate. It is also important that tbere should be separate dining rooms for nurses wbo have the care of the different infectious diseases. In foreign bospitals, and in tbe new bospital just erected in Philadelpbia, these provisions have been made.

The treatment of infectious diseases is not a charity, in the common acceptation of the word, but it is an element of public safety, and it is as mucb demanded by the public as a Fire Department or a Police Department. It is a disgrace to any municipality to bave an epidemic of an infectious disease. Boston should be able to control any epidemic of the three principal infectious diseases, namely, diphtheria, scarlet fever and measles.

Within the past two or three years the City of Boston has paid to other hospitals for the treatment of patients ill with infectious diseases about $33,000. The average price of board at these hospitals is about $10 a week, whereas at the South Department the past year, deducting money received from paying patients and from cities and towns, it has been $3.94.

In conclusion, the trustees, realizing tbe great responsibilities that rest upon them and upon tbe city government, most earnestly call the attention of your Honor and the Honorable City Council to the crying need of tbese new buildings, and urgently request the earliest consideration of this loan appropriation.

I bave the bonor to remain, on behalf of the trustees,

Very respectfully yours,
A. SHUMAN,
President Board of Trustees.

—

The Boston City Hospital,
Boston, December 2, 1910.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—At a meeting of the Board of Trustees to-day the matter of an appropriation for the

construction of buildings on the ground lately purchased from the Robert Treat Paine estate was considered.

The constant increase in the population of the City of Boston necessarily increases the number of infectious diseases. During the past three years the city has suffered so much from these vexatious diseases that the South Department has been overcrowded for a portion of each year. Its normal capacity is 250 patients, but the stress has been so great that at times this number has been increased to 400 to the detriment of the welfare of the patients. In addition to this the city has been obliged to board out a great many patients at the Haynes Hospital and other institutions during the time mentioned, which is not only detrimental to the public health, but adds materially to the expense of caring for the patients over the cost to the hospital management within its sphere.

It is therefore of the utmost importance that adequate provision should be made for the treatment of this class of diseases, and to properly take care of all applicants ill with diphtheria, scarlet fever and measles.

It is a source of satisfaction to the trustees that Boston was the first city to establish a separate hospital for infectious diseases. Your Honor may possibly remember that about three years ago, during your former administration, an appeal was made to you for a measles pavilion. You generously and with a full appreciation of the importance of this ward recommended the necessary sum for its erection. This measles pavilion has accomplished a great deal of good and has filled a long felt want, for until its erection there was no place to send a patient ill with measles.

The trustees feel, therefore, that your Honor, as well as the Honorable City Council, will recognize the importance of enlarging the accommodations at the South Department at the earliest possible moment. After carefully considering the matter, and going over several plans that have been submitted for their inspection, the trustees most respectfully ask your Honor to recommend a loan appropriation of $297,800 for new buildings, changes and additions at the South Department, approximated as follows:

Changes in east pavilion	$6,000 00
Changes in west pavilion	6,000 00
Additional story to laundry building	14,800 00
New six story ward building	196,000 00
Alterations to Paine buildings	33,000 00
Connecting corridors, and pipes and tunnels	20,000 00
Yard wall	8,000 00
Contingent and administrative expenses	14,000 00
	$297,800 00

The trustees, fully appreciating your Honor's great interest in the hospital, and your cooperation for the welfare and alleviation of the sick, and especially for those unfortunately stricken with contagion, ask you kindly to recommend to the Honorable Council the appropriation of the above mentioned sum.

I have the honor to remain, on behalf of the trustees,

Respectfully yours,
A. Shuman,
President Board of Trustees.

Referred to the Committee on Finance.

COST OF LIBRARY BUILDING, EAST BOSTON.

The following was received:

City of Boston,
Office of the Mayor, September 11, 1911.

To the City Council:

I transmit herewith a communication from the Superintendent of Public Buildings, containing a reply to your order requesting an estimate of the cost of the proposed library building in East Boston.

Respectfully,
John F. Fitzgerald, Mayor.

City of Boston,
Office of Public Buildings Department,
September 9, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,— Replying to the inclosed order of the City Council in relation to proposed library building in the East Boston district, I wish to advise you that I estimate the cost of site, building and equipment to be ninety-six thousand (96,000) dollars.

I have conferred with the Library Trustees in relation to the size of building desired and have concluded that approximately ten thousand (10,000) square feet will be necessary for a site.

The building should be two stories high above the basement, which would provide a lecture room, boiler room and storage room in the basement, a children's reading room and reference room on the street floor, a reading room for adults and stack-room on the second floor.

The items of this estimate are based on the following:

Cost of site, estimated	$18,000 00
Cost of building, including architect's fee	73,000 00
Library furnishings	5,000 00
	$96,000 00

Yours respectfully,
M. J. Fish,
Superintendent of Public Buildings.

Referred to the Committee on Libraries.

QUARTERS FOR FIREBOAT CREW.

The following was received:

City of Boston,
Office of the Mayor, September 11, 1911.

To the City Council:

I transmit herewith a communication from the Fire Commissioner, setting forth the need for providing permanent quarters for the fireboat crew at Northern avenue. For the yearly saving which would result from establishing these quarters at the Northern Avenue Bridge, and the fact that this location would undoubtedly promote the efficiency of the service, prompts me to recommend the passage of the accompanying loan order, appropriating thirty-five thousand dollars ($35,000) to be devoted to this purpose.

Respectfully,
John F. Fitzgerald, Mayor.

City of Boston,
Fire Department, September 1, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—I have the honor to request that the City Council appropriate thirty-five thousand dollars ($35,000) for the erection of a pier and fireboat quarters at Northern avenue.

This department has three fireboats; one is located at the North End paving dock and services the northern end of the harbor; the second is located adjacent to the South Ferry on the East Boston side and services the central portion of the harbor; the third fireboat, Engine 44, has been located for some years in temporary quarters as the fireboat located on the East Boston side. Furthermore, the quarters occupied by the crew are almost uninhabitable. For these quarters and dockage the city has, for many years, paid an annual rental of four thousand (4,000) dollars.

By moving this station from Central Wharf to Northern Avenue Bridge there will be effected a better distribution of the boats. There will be a boat at the northern extremity of the harbor, one in the central portion, and another in the southern extremity. Furthermore, the pier and quarters can be erected at this more desirable location for a sum not exceeding thirty-five thousand (35,000) dollars, the interest on which constitutes about one-third the sum now paid in rental expenses. The change would effect a saving of more than $2,000 a year, or the interest at market rates on $65,000. Moreover, it will supply habitable quarters for the crew of the boat, a matter of no small concern when the inadequate provisions now maintained are considered.

This department has had plans for the dock prepared by the Ferry Division of the Public Works

Department. An estimate of the cost of the installation of the dock has been made. The permission of the Harbor and Land Commission of the State of Massachusetts, as well as that of the War Department of the Federal Government, has been obtained.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

—

Ordered, That the sum of thirty-five thousand dollars ($35,000) be and hereby is appropriated, to be expended by the Fire Commissioner for the purpose of erecting a pier and fireboat quarters at Northern avenue; and that to meet said appropriation the City Treasurer be authorized to issue from time to time, with the approval of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

RELEASE OF EASEMENTS, DORCHESTER.

The following was received:

City of Boston,
Office of the Mayor, September 9, 1911.

To the City Council:

I transmit herewith a communication from the Commissioner of Public Works, and a notice from that official to your body, to the effect that the rights acquired by the city on April 22, 1890, to certain lands situated between Park street and Neponset avenue, Dorchester, for the purpose of continuing and extending the improved sewerage system of the City of Boston, are no longer required for public purposes.

I therefore recommend that the accompanying preambles and order abandoning the easements be adopted by your honorable body.

Yours very truly,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Works Department,
September 1, 1911.

To the Mayor:

Sir,—In accordance with chapter 25, section 50, of the Revised Laws of Massachusetts, I inclose herewith notice to the City Council that the rights and easements taken by the Board of Aldermen by an order passed April 21, 1890, and approved by the Mayor April 22, 1890, for the purpose of continuing and extending the improved sewerage system of the City of Boston in a portion of parcel No. 14, as shown on plan marked "City of Boston, Improved Sewerage, Dorchester Intercepting Sewer, Land Plan," dated April, 1892, signed by William Jackson, City Engineer, and deposited in the office of the Public Works Department, Sewer Service, marked "K-95, Sheet No. 5A," and now in my charge, are no longer required for public purposes.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

City of Boston,
Public Works Department,
September 1, 1911.

To the City Council:

The Commissioner of Public Works, now having charge of a parcel of land in that part of Boston formerly Dorchester, taken for the purpose of continuing and extending the improved sewerage system of the City of Boston, by an order passed by the Board of Aldermen April 21, 1890, and approved by the Mayor April 22, 1890, as shown on a plan marked "City of Boston, Improved Sewerage, Dorchester Intercepting Sewer, Land Plan," dated April, 1892, signed by William Jackson, City Engineer, and deposited in the office of the Public Works Department, Sewer Service, marked "K-95, Sheet No. 5A," hereby notifies your honorable body that, in his opinion, the rights and casements in the following portion of parcel No. 14 are no longer required for public purposes, and requests that you will authorize his Honor the Mayor, in the name and behalf of the City of Boston and in accordance with the provisions of chapter 25, section 50, of the Revised Laws of Massachusetts, to declare such rights and easements abandoned, said declaration of abandonment to be made for a nominal consideration, said parcel being described as follows:

Beginning at a point marked A in land now or formerly of S. Pinckney Holbrook and running southeasterly bounded easterly by land now or formerly of said Holbrook by a curve of 50 feet radius, 48.56 feet to a point marked B; thence running more southerly bounded easterly by land now or formerly of said Holbrook, by a straight line 187.04 feet to a point marked C; thence running more southerly bounded easterly by land now or formerly of said Holbrook, by a curve of 50 feet radius, 16.98 feet to a point marked D; thence running westerly bounded southerly by the end of Bertram street, about 21 feet to a point marked E; thence running northwesterly, bounded westerly by land now or formerly of said Holbrook by a curve of 30 feet radius, 5.7 feet to a point marked F; thence running northwesterly, bounded westerly by land now or formerly of said Holbrook, by a straight line 135.62 feet to a point marked G; thence running northerly, bounded westerly by a portion of parcel No. 14, taken for sewerage purposes by the City of Boston April 22, 1890, 43.68 feet to a point marked H; thence running northerly and westerly by a curve of 50 feet radius bounded westerly by a portion of parcel No. 14, taken by the City of Boston for sewerage purposes as aforesaid, 62.26 feet to the point of beginning.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

Whereas, The Board of Aldermen, by an order passed April 21, 1890, and approved by the Mayor April 22, 1890, took certain parcels of land in that part of Boston, formerly Dorchester, between Park street and Neponset avenue, for the purpose of continuing and extending the improved sewerage system of the said City of Boston; and

Whereas, The Commissioner of Public Works, now having charge of said parcels of land, has notified the City Council that a portion of one of these parcels of land and the easement therein is no longer required for public purposes, it is hereby

Ordered, That his Honor the Mayor be and he is hereby authorized in the name and behalf of the city and in accordance with the provisions of chapter 25, section 50, of the Revised Laws of Massachusetts, to declare the rights and easements so taken in the following described parcel of land to be abandoned, said declaration of abandonment to be made for a nominal consideration, namely, a parcel of land as shown on a plan marked "City of Boston, Improved Sewerage, Dorchester Intercepting Sewer, Land Plan," dated April, 1892, signed by William Jackson, City Engineer, and deposited in the office of the Public Works Department, Sewer Service, marked "K-95, Sheet No. 5A," bounded and described as follows:

Beginning at a point marked A in land now or formerly of S. Pinckney Holbrook and running southeasterly bounded easterly by land of said Holbrook by a curve of 50 feet radius, 48.56 feet to a point marked B; thence running more southerly bounded easterly by land now or formerly of said Holbrook, by a straight line 187.04 feet to a point marked C; thence running more southerly bounded easterly by land now or formerly of said Holbrook, by a curve of 50 feet radius, 16.98 feet to a point marked D; thence running westerly bounded southerly by the end of Bertram street about 21 feet to a point marked E; thence running northwesterly bounded westerly by land now or formerly of said Holbrook, by a curve of 30 feet radius, 5.7 feet to a point marked F; thence running northwesterly bounded westerly by land now or formerly of said Holbrook, by a straight line 35.62 feet to a point marked G; thence running northerly bounded westerly by a portion of parcel No. 14 taken for sewerage purposes by the City of Boston April 22, 1890, 43.68 feet to a point marked H; thence running northerly and westerly by a curve of 50 feet radius bounded westerly by a portion of parcel No. 14 taken by the City of Boston for sewerage purposes as aforesaid, 62.26 feet to the point of beginning.

Referred to the Committee on Public Lands.

ACCEPTANCE OF SUBWAY ACT.

The following was received:

City of Boston,
Office of the Mayor, September 9, 1911.

To the City Council:

I transmit herewith a draft of order accepting the provisions of chapter 741 of the acts of the

current year, entitled "An Act Relative to Electric Railway Transportation Facilities in the City of Boston and Its Vicinity." In my opinion this legislation is of the utmost importance to the City of Boston and as the City Council is compelled under the act to accept it fifteen days after the stockholders of the West End Street Railway Company have voted to sell its holdings to the Boston Elevated Railway Company, consideration of the matter should not be further postponed. The stockholders passed the necessary vote on the 6th instant and the time limitation for acceptance by your body is before the 22d instant. When this legislation becomes a finality the city will be assured of additional subway construction to the west and to the south of the city as well as to several of the railroad and business centers. There are many other features of importance to the citizens contained in this act, and I earnestly recommend the adoption of the accompanying order by your honorable body at the earliest possible date.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Whereas, The West End Street Railway Company at a meeting of the stockholders specially called for the purpose, to vote upon the question whether or not it shall sell its property, privileges and franchises to the Boston Elevated Railway Company, as provided in chapter 741 of the Acts of the year 1911, voted in favor of such sale, and the Boston Elevated Railway Company at a meeting of stockholders specially called for the purpose, to vote upon the question whether said company shall so purchase the property, privileges and franchises of the said West End Street Railway as provided in said chapter, voted in favor of such purchase, it is

Voted, That the City Council of the City of Boston hereby accept the provisions of chapter 741 of the Acts of the year 1911, entitled "An Act Relative to Electric Railway Transportation Facilities in the City of Boston and its Vicinity," and that a certificate of his acceptance, approved by the Mayor, be filed in the office of the Secretary of the Commonwealth.

Referred to the Executive Committee.

LABORERS' RETIREMENT BOARD.

The following was received:

City of Boston,
Office of the Mayor, September 11, 1911.

To the City Council:

Chapter 413 of the acts of the Massachusetts Legislature for the current year, entitled "An Act Relative to a Retirement Fund for Laborers Employed by the City of Boston," provides for the establishment of a retirement board for laborers in the municipal service. Section 3 of this act stipulates that its provision shall become effective on the first day of March of the year following its acceptance by the City Council and as there are many studies to be made and a considerable amount of clerical work to be done, I believe it would be for the best interests of the service if the matter were considered by your body forthwith. I therefore append a draft of order accepting the provisions of the said act and recommend its adoption by your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Section 1. There shall be a retirement board for the laborers employed by the City of Boston consisting of the mayor, the auditor and the treasurer of the city, who shall discharge the duties hereby imposed upon them without additional compensation.

Sect. 2. Any laborer employed by the City of Boston who has reached the age of sixty years and who has been in the service of the city for a period of not less than twenty-five years, and who is physically incapacitated, shall, at his request and with the approval of the retirement board above provided for, be retired from service, and shall receive for the remainder of his life an annual pension equal to one-half of the compensation which he received during the last year of his service for the city. It shall be the duty of the said board so to retire any laborer in the service of the city who has reached the age of seventy years and has served the city for a period of not less than twenty-five years.

Sect. 3. This act shall take effect on the first day of March of the year following its acceptance by the City Council of the City of Boston.

—

Ordered, That chapter 413 of the Acts of the Massachusetts Legislature for 1911, entitled "An Act Relative to a Retirement Fund for Laborers Employed by the City of Boston," be, and hereby is, accepted by the City Council of Boston.

Referred to the Executive Committee.

BATH HOUSE, CHARLESTOWN.

The following was received:

City of Boston,
Office of the Mayor, September 9, 1911.

To the City Council:

In 1907 a loan appropriation of $30,000 was made for Bath House, Charlestown, to be expended under the direction of the Bath Trustees. Within the past few months the question of bathing facilities in the Charlestown district has been given careful consideration. The officials of the city have concluded that it would be advisable to reconstruct the Ward 3 wardroom building for this purpose and to expend the appropriation referred to above therefor. This structure is in charge of the Superintendent of Public Buildings, and it would be advisable to empower this official to proceed with the work at once. I therefore recommend the passage of the accompanying order.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That the Superintendent of Public Buildings be and hereby is authorized to expend the appropriation of thirty thousand dollars ($30,000) for Bath House, Charlestown, approved July 26, 1907.

Referred to the Executive Committee.

COST OF MUNICIPAL BUILDING, WARD 7.

The following was received:

City of Boston,
Office of the Mayor, September 9, 1911.

To the City Council:

I transmit herewith a communication from the Superintendent of Public Buildings, containing a reply to your order requesting an estimate of the cost of the proposed municipal building in Ward 7.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Buildings Department,
September 1, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,— Replying to the inclosed order of the City Council in relation to cost of proposed municipal building in Ward 7, I wish to advise you that I estimate the said cost to be ninety thousand (90,000) dollars, the same to include site, building and equipment.

The site should contain about 7,500 square feet of land, the building to cover the whole of same with the exception of a proper set back from the sidewalk line. Building to be two stories high above the basement. Basement to contain shower baths, swimming pool and steam plant. The first floor might be used for library purposes and the second or top floor as a gymnasium or as an assembly hall as occasion required.

The items of this estimate are based on the following:

Cost of site	$30,000 00
Cost of building	55,000 00
Seats for assembly hall	550 00
Gymnasium apparatus	1,450 00
Library furnishings	3,000 00
	$90,000 00

Yours respectfully,
M. J. FISH,
Superintendent of Public Buildings.

Referred to the Committee on Finance.

OLD COURT HOUSE PORTICO.

The following was received:

City of Boston,
Office of the Mayor, September 11, 1911.

To the City Council:

I recommend the passage of the accompanying draft of order, transferring the sum of $5,000 from the appropriation for Reserve Fund to a special appropriation for Old Court House Portico, Removing and Preserving. The special commission appointed for the purpose of considering a suitable site upon which to place this portico are now giving the matter careful attention and they will he prepared to suhmit a final report within a short time. The proper removal and preservation of the portico must be taken in hand immediately and it is therefore necessary to provide funds with which to carry out this work.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That the City Auditor he and hereby is authorized to transfer the sum of five thousand dollars ($5,000) from the appropriation for Reserve Fund to an appropriation for Old Court House Portico, Removing and Preserving, to he expended by the Superintendent of Puhlic Buildings.

Referred to the Executive Committee.

ARLINGTON STREET EXTENSION.

The following was received:

City of Boston,
Office of the Mayor, September 11, 1911.

To the City Council:

I suhmit herewith a report made to me by Mr. John C. Kiley, real estate expert attached to this office, relating to the proposed Arlington street extension, from Beacon street to the Charles River Emhankment. According to Mr. Kiley's figures, if the city is to undertake this improvement alonc it will cost $365,000. If the city should take 95 and 96 Beacon street and hold thcse properties for the future extension of Arlington street by the Metropolitan Park Commissioners, it will he necessary to appropriate but $207,000 at the prescnt time, which amount would he paid hack to the city treasury in the event of the improvement being made hy the Metropolitan Park Commission.

Up to date the Metropolitan Park Commission has expended some eighteen millions of dollars in improvements, and, although Boston has been assessed for the major portion of the initial expenditures, and for the larger part of the maintenance charges, the city itself has received hut very little direct benefit therefrom. This commission has control of over 10,295 acres in metropolitan park reservations and parkways, only 525.75 acres of which are within the limits of the City of Boston — some 5 per cent. Of the 31.6 miles of roadways under its control only one and one-half miles are within our limits. These figures indicate thc inequitahle character of its holdings and should he a strong argument to use hefore the Legislature of 1912 for the purpose of obtaining the necessary legislation authorizing the Metropolitan Park Commission to bear the expense of the Arlington street improvement.

It secms to me, therefore, in view of the fact that the city now has the opportunity, with the expenditure of about one-half the total cost of the improvement, to providc for this extension, that it would be wise to appropriate the desired amount.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Office of the Mayor,
Real Estate Appraiser,
Septemher 11, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,— Pursuant to your request I have studied the cost of thc proposed Arlington street extension from Beacon street to the Charles River Emhankment, and can make the following report:

Together with Mr. O'Callaghan, secretary to the Street Commissioners, I have estimated that the necessary real estate to make this extension would cost..... $305,000 00

There would be special damages as follows:

No. 95 Beacon street, to pay for material and lahor to date, depreciation of material ordered hut not to be used on account of cancellation of contract; contractor's profit and architect's fees.....	$35,000 00
No. 96 Beacon street, to pay for material and lahor to date, depreciation of material ordered hut not to he used on account of cancellation of contract; contractor's profit and architect's fees.....	25,000 00
Total.....	$365,000 00

To take Nos. 95 and 96 Beacon street (on which premises the old buildings have heen removed and new ones are heing erected), and hold them for the future extension of Arlington street hy the city or by the Metropolitan Park Commission, it would cost as follows:

No. 95 Beacon street, and rear lot on Back street and the Charles River Embankment controlled by the same owner.

Cost of real estate.....	$80,000 00
Special damages, as above.....	35,000 00
No. 96 Beacon street, cost of real estate.....	67,000 00
Special damages.....	25,000 00
	$207,000 00

In connection with the latter proposition I think it well to refer to the report of the Joint Board on Metropolitan Improvements Commission, 1911, in which they mention that the cost of the Arlington street extension should fall logically within the lines of metropolitan work.

The following is quoted from their report: "The first suggestion is the ohvious one of a hetter approach to the driveway along the easterly side of the embankment and the hasin. That driveway, forming a junction with Charles strect and Camhridge Bridge at its northerly end, extends to Back street, which is the street in the rear of the row of houses fronting on Beacon street, and there connects on a curve with Otter street. Otter street is a narrow way, only the length of a single house lot, which opens into Beacon street at a point a few houses west of Arlington street; it is inadequate, ohscure and indirect as an approach to the driveway and connection with the principal streets of the city. It seems to the Joint Board that a better way ought to he provided in hetter alignment with the driveway and Arlington street to give direct and dignified approach, with views of the emhankment and of the Common and Puhlic Garden, not only from Beacon street and Boylston street, which are the finest radial highways of the city, hut also from Commonwealth avenue, which is the only parkway from the center of the city to the Boston Park System and the metropolitan park system west and south of Boston. Such a connection would seem to find a precedent in park approaches provided for other parks and reservations of the metropolitan park system, and to fall logically within the lines of metropolitan work and expenditures already entered into."

Respectfully yours,
JOHN C. KILEY.

Referred to the Executive Committee.

WIDENING OF UNION PARK STREET.

The following was received:

City of Boston,
Office of the Mayor, September 11, 1911.

To the City Council:

I heg to recommend for passage the accompanying loan order for $75,000, for the widening of Union Park street, between Washington street and Harrison avenue. Union Park street is an important highway extending from Tremont street to Harrison avenue and this portion hetween Washington street and Harrison avenue is narrow and congested. I have assurances from most of the abutting owners that they will pay any reasonable assessments to carry out this improvement.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That the sum of $75,000 be appropriated to be expended by the Board of Street Commissioners for the widening of Union Park street, between Washington street and Harrison avenue, and that the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

WIDENING OF NORFOLK STREET.

Coun. SMITH offered the following:

Resolved, That his Honor the Mayor be requested to recommend to the City Council an order transferring $100,000 from the Reserve Fund to an appropriation for the widening of Norfolk street, Dorchester.

The resolution was referred by the President to the Executive Committee.

Coun. SMITH—Mr. President, I have brought this matter up at this time, hoping the resolution will pass and that the Mayor will give it consideration, because at the present time we have a Reserve Fund of $750,000 and are considering several improvements in the city. It seems to me, in view of the fact that Norfolk street has been forgotten among these improvements, that it ought to be considered with the rest. This year no money has been spent on highways with the exception of the customary $300,000. It seems to me that the extension and improvement of highways is one of the main subjects before the city at the present time and that this resolution to the Mayor would have its effect in bringing about some appropriation for Norfolk street, and bring it about at a time when we are considering general improvements throughout the city. In comparison with libraries and ward buildings, it seems to me that Norfolk street should have the call. To my mind it is more important than is a second library building this year. In saying that I am speaking of something to which I have given a great deal of consideration. I have been on the Committee on Branch Libraries, have visited all of them throughout the city, and I earnestly hope that East Boston shall have a branch library, a new one, in the near future. At the same time, I believe one branch library a year is enough for the city to build. In comparison I believe that Norfolk street is more important. I realize that $100,000 will not complete the job on Norfolk street, but it will make a considerable beginning, the total amount estimated for the work being $260,000. I think in comparison with a Ward 7 municipal building that Norfolk street is more important. Much as I wish to see such a building in Ward 7, much as I think it is needed, it seems to me that Norfolk street is more of a necessity. Ward 7 is lucky in having several settlements where the children are pretty well taken care of. In comparison with a Charlestown library it seems to me that Norfolk street is much more important, as in my opinion East Boston should come first in the matter of libraries. I can think of no single considerable improvement so important in this city as the widening and straightening of Norfolk street, and I hope sincerely that the Mayor will consider it in connection with the improvements about town at a time when we have ample funds to take it up, and do it in a business-like way. I think if the matter is put up to the Mayor by the Council it will have due effect with him, and I sincerely trust that the resolution will go through.

Coun. ATTRIDGE—Mr. President, I first desire to ask if it is in order for me to speak on this order that has been presented after you have made the reference?

President COLLINS—If no objection is made, the Chair will put the question on the passage of the resolution.

Coun. ATTRIDGE—Mr. President, I quite agree with the gentleman on the other side of the Chamber that the fixing up of Norfolk street is a necessity. There are many things which the City of Boston can do to-day with the money which is in the Reserve Fund. I stated at the last meeting of the Council, when I set forth my reasons for voting in favor of the appropriation of $175,000 from the Reserve Fund to the appropriation for the taking of land and buildings on Beacon street in order to make a continuation of Arlington street to connect with the esplanade, that I voted for that appropriation simply out of courtesy to the two gentlemen who sit in this Council from Ward 11. I stated that I did not vote for that appropriation because I believed it was the most necessary improvement in the city at the present time, but that I voted in favor of it in order to give those two gentlemen a chance to make an investigation as to the cost of making that new street to connect Arlington street, Back street and the esplanade. I stated at the last meeting that I believed Norfolk street was one of the streets of the city which should be attended to. In my opinion it is the street above all streets which should be attended to; and to-day, if it comes to a question of a vote on the $175,000 for the extension of Arlington street to the esplanade, I intend to vote against it. I stand here to-day and favor this order which has been presented by the gentleman from Ward 11, on the other side of the Chamber, and if the city could spare the money, I think it would be good policy to spend this year the $260,000 for the laying out and widening of Norfolk street. The widening of Norfolk street has been advocated surely for the last half dozen years. For the past six years the City Council of Boston has known that Norfolk street should be attended to. The matter came up in the Councils of 1907, 1908, 1909 and 1910, and here it is with us again. Nothing has been done, but still something should be done by the city. This is a thoroughfare of the city, and in my opinion, should be properly fixed by the city. It is not a matter of artistic improvement; it is a necessary improvement, as distinguished from the artistic improvement that is contemplated at Arlington street. The Boston *Herald* has advocated that improvement at Arlington street, and I may also say that the Boston *Herald* during the month of May urged the need of better streets in various sections of our city. The Boston *Herald*, under date of May 17, said that Brighton needed better streets; under date of May 12 the Boston *Herald* said that Norfolk street was so narrow that car and team drivers feared to pass through and that the demand for the widening of the street has gained strength. It stated that the cost of the work was estimated, as the gentleman on the other side of the Chamber has said, at $260,000, but that the annual amount appropriated for the care of all streets, for the laying out of new streets in our city, was $300,000. I believe that Norfolk street should be laid out. I believe that the city should this year, if it could be spared, spend the $260,000 for the laying out of this street; and I, for one, would be willing to see his Honor the Mayor, and ask if he would send to this Council an order transferring from the Reserve Fund money to put this street, this thoroughfare of our city, in proper condition. I hope that the resolution will pass.

The resolution was adopted.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Thomas McDonough, for compensation for injuries caused by the falling of a limb of a tree at 594 East Eighth street.

Mary Cummings, for compensation for injuries caused by an alleged defect in sidewalk at 102 West Third street.

Thomas H. Batts, for compensation for damages to property at 289 Dorchester street by overflow of sewage.

Mary E. McIsaac *et al.*, for compensation for damage to estate 289 Dorchester street by overflow of sewage.

Dennis J. Guiney, Jr., to be paid grade damages to estate 35 Jenkins street, Ward 16.

International Club of Boston, for compensation for damages to bowling alleys on Dudley street by overflow of sewage.

Mrs. Mary J. Towle, for compensation for damages to estate 19 Conway street by overflow of sewage.

Agnes O'Brien, for compensation for damages at 46 Webster street, East Boston, by overflow of sewage.

Luke Hines, to be paid $18 for extra work on sewer connection at 15 Anson street, Jamaica Plain, on account of wrong information received at the Sewer Division.

Abraham Black, to be paid $15—expenses incurred on account of injuries received by his wife, Lizzie Black, caused by the caving in of a defective hydrant box.

Alvin D. Dorr, for compensation for damages at his estate on Weld Hill street by construction of sidewalks, etc.

John F. Duffy, for compensation for injuries received on Shawmut Avenue Bridge.

Richard H. Walsh, for compensation for personal injuries caused by a defect in sidewalk at corner Bunker Hill and Baldwin streets, Charlestown.

M. A. Mulry, for compensation for loss of parasol on Boston Common by a department wagon.

Avila E. Davenport, for compensation for damage to clothing spattered by employees of the city on Central street.

Benjamin W. Smith, Jr., for compensation for injuries caused by his being struck by a baseball bat on Marginal street.

Boston Express Exchange, to be repaid the amount of three wagon licenses which are not to be used.

O. B. Mills, for compensation for damages to property, 96 Burrell street, Roxbury, by stoppage of sewer.

James Riley, for compensation for damage to property, 46 Webster street, caused by overflow of sewer.

Executive.

Petitions were received for sidewalks, as follows:

(Brick.)

F. C. Smail, Ellery street side of 27–33 Boston street, Ward 16.

(Brick With Granite Edgestone.)

Florence J. McCarthy, 206–210 Paris street, Ward 2.

Susan M. Connors, 8 Danube street, Ward 16.

(Gravel With Granite Edgestone.)

St. William's Church, James J. McCarthy, trustee, Belfort and Auckland streets, Ward 20.

John J. McKenna *et al.*, Lyons street, Ward 20.

(Artificial Stone With Granite Edgestone.)

Mrs. E. H. Crosby, 749 Saratoga street, Ward 1.

A. Isenberg, 49, 50 Allen street, Ward 8.

Jacob Silberstein, 148 Merrimac street and 54–56 Norman street, Ward 8.

A. R. Rosenthal, 22 Huntington avenue, Ward 10.

Francis C. Welch, 19 Brimmer street, Ward 11.

South End Amusement Company, 1737 Washington street, Ward 12.

Norcross Brothers Company, East Concord street, Ward 12 (Memorial Hospital).

Samuel W. Johnson, 401–416 K street, Ward 14.

William H. Hardy, 27 Edison green, Ward 16.

Frank E. Shedd, Waldeck street side of 40 Melville avenue, Ward 20.

S. T. Golden, 12–14 Erie street, Ward 20.

C. H. Kraft, 111 Bowdoin street, Ward 20.

Nicholas Isaacson, 26 Spring Garden street, Ward 20.

F. L. Williams, 29–31 Bainbridge street, Ward 21.

I. Shapiro, 140–146 Harold street, Ward 21.

Nathan Fritz, 17–19 Otisfield street, Ward 21.

Simon Hurvitz, 50–60 Walnut park and 65–71 Westminster avenue, Ward 22.

J. W. O'Brien, 79 Perkins street, Ward 23.

John McShane, 283–283A Neponset avenue, Ward 24.

Laban Pratt, 31–39 Taylor street, Ward 24.

George W. Macauley, 574 Norfolk street, Ward 24.

E. M. McKay, 578 Norfolk street, Ward 24.

Henry S. Clark, 1895 Dorchester avenue, Ward 24.

Norman Clark, 35 and 39 Torrey street, Ward 24.

W. B. Rice, 4–8 Train street, Ward 24.

Michael McPherson, 115–129 Franklin street, Ward 25.

Bernard Steuer, Linden street, at Reedsdale street, Ward 25.

John J. Smith, 80–96 Sutherland road and 80–84 Lanark road, Ward 25.

Petitions for licenses to sell, rent or lease firearms, viz.:

Harry S. Levitan, 149 Dorchester avenue, Ward 13.

Myer Glodt, 2061 Washington street, Ward 18.

Glodt & Sisonsky, 1267 Tremont street, Ward 18.

COAL AND COKE LICENSES.

A list of coal and coke licenses, granted by the Secretary of the Commonwealth, was received.

Placed on file.

NOTICES OF HEARINGS.

Notice was received from the Harbor and Land Commissioners of hearing on September 26, on petition of Metropolitan Park Commissioner, for license to construct a storage house in Charles river.

Notice was received from the Railroad Commissioners of hearing on petition of Boston Elevated Railway Company on September 5 for approval of proposed changes in station at Dover street.

Notice was received from the Railroad Commissioners of hearing on petition of the Boston Elevated Railway Company on September 5 for approval of proposed changes at Dudley Street Station.

Notice was received from the Railroad Commissioners of hearing on petition of West End Street Railway Company on September 5 for approval of 353d, 354th, 355th and 356th locations.

Placed on file.

APPROVAL OF PLANS, ETC.

Notice was received from the Railroad Commissioners of approval on petition of Boston Elevated Railway Company of plans 35407–8–9–10, showing proposed construction of electric railway on Cambridge Bridge.

Notice was received from the Railroad Commissioners on petition of Boston Elevated Railway Company of approval of proposed changes on elevated structure at Sullivan square.

ORDERS OF LOCATION.

Copies of orders were received from the Street Commissioners granting the West End Street Railway Company alterations of locations, viz.:

Talbot avenue, 357th location; Berkeley street, 358th location; Washington street and Broadway, 359th location; Washington street and Columbus avenue, 360th location; Main street, Charlestown, at Beacham street, 361st location; East First street, 362d location: Bowdoin square and Geneva avenue, 363d location.

Placed on file, and ordered printed.

APPOINTMENT OF ART COMMISSIONER.

Notice was received of the appointment of John Templeman Coolidge, Jr., as Art Commissioner, certified copy of the same having been filed with the Civil Service Commission August 23, 1911.

Notice was received from the Civil Service Commissioners of the approval of the appointment of John Templeman Coolidge, Jr., as Art Commissioner.

Placed on file.

AMENDMENT TO TRAFFIC REGULATION.

Notice was received from the Street Commissioners that Article 8 of the Rules and Regulations for street traffic was amended by adding thereto as a one-way thoroughfare Court square, southerly, from Court street, entering on the westerly side, leaving on the easterly side.

Placed on file.

BOND OF ANDREW M. CUSACK.

A bond was received by the City Clerk from the Metropolitan Water and Sewerage Board, under the provisions of chapter 339 of the Acts of 1897, said bond being one of indemnity from Andrew M. Cusack.

Placed on file.

CONSTABLES' BONDS.

The City Treasurer, having duly approved of the same, submitted the constables' bonds of Morris F. Lewenberg and Fred G. Trask.

Placed on file.

KEEPING OF GASOLENE.

Notice was received from Clayton and Craig, 15-17 Harcourt street, Ward 10, of the keeping of gasolene on said premises, and of intention to use said premises for said purpose for the ensuing year.

Placed on file.

PRICE OF MILK.

The following was received:

Commonwealth of Massachusetts,
District Attorney Suffolk District,
Boston, August 22, 1911.

To the City Council,
City of Boston, Mass.:

In accordance with the order of the City Council, dated July 17, 1911, requesting me "to investigate the increase in the price of milk to consumers in Boston and vicinity, with a view to determine if a combination exists among the milk contractors organized for the purpose of wringing unwarranted and extortionate prices from the consumers in violation of law," I have caused such an investigation to be made.

In common with many, I felt that the milk producers would not be found to be responsible for the increased price, and yet, in view of the tremendous importance of the question to the people, I felt justified in sending special agents to the producers in this state, Vermont and New York.

I have also had the testimony of all persons from whom it seemed possible to obtain evidence, including the milk contractors and others, but I have been unable to secure any evidence of combination among the milk producers, or milk contractors, to increase the price of milk, nor any evidence that the recent increase in the price of milk to consumers in Boston and vicinity is the result of the criminal act of any person or persons.

Joseph C. Pelletier, District Attorney.

Placed on file.

MINORS' LICENSES.

President COLLINS submitted reports on petitions recommending that minors' licenses be granted to thirty-eight newsboys, three bootblacks and two vendors.

Reports severally accepted; licenses granted on the usual conditions.

PERAMBULATION OF BOUNDARY LINES.

President COLLINS offered an order—That two members of this Council, together with the City Clerk and Commissioner of Public Works, or their duly authorized substitutes, be and they hereby are appointed, in behalf of the City Council, to perambulate the boundary lines and to examine the bound marks between Boston and the adjacent cities and towns of Revere, Everett, Somerville, Newton, Brookline, Dedham and Hyde Park, to report descriptions of the same for record, and to cause bound marks to be erected or renewed wherever necessary; the expense incurred under the authority of this order, if any, to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

SIDEWALK, ST. WILLIAM'S CHURCH.

President COLLINS offered an order—That the Commissioner of Public Works make a sidewalk along Dorchester avenue in front of St. William's Church, Ward 16, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

SEWERAGE WORKS, CHARLES RIVER BASIN.

Coun. KENNY offered an order—That, in addition to the three hundred and ninety-five thousand dollars ($395,000) heretofore appropriated, the sum of five thousand dollars be appropriated for the construction of sewerage works within the watershed of the Charles River Basin, under the provisions of chapter 485 of the Acts of 1907 and chapter 612 of the Acts of 1911, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds of the City of Boston to said amount for said purpose.

Coun. KENNY—Mr. President, I am going to ask that that order take its passage now. In contemplation of the passage of the act itself the Council, upon the recommendation of the Mayor, passed a loan order of $395,000. The act itself, however, provides for $400,000, and in order to make it conform with the legislation this year, I offer that order at this time and ask that it go upon its passage.

The order was given its first reading and passage, yeas 8, nays 0.

USE OF SCHOOL HALLS.

Coun. McDONALD offered an order—That chapter 367 of the Acts of 1911, entitled "An Act Relative to the Use of School Halls for other than School Purposes," be and the same hereby is accepted.

Referred to the Executive Committee.

CLOSING OF STREETS, COLUMBUS DAY.

Coun. ATTRIDGE offered an order—That the Police Commissioner be hereby authorized to close to travel by vehicles, except fire, police, hospital and mail wagons, on Thursday, October 12, such streets as may be necessary for the formation and parade of the Columbus Day marchers on said day, and the City Messenger is hereby authorized to rope off such streets as the Police Commissioner may require, the expense to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

RETIREMENT OF LABORERS.

Coun. ATTRIDGE offered an order—That his Honor the Mayor be requested to furnish to the City Council information from the heads of departments concerning the operation of the provisions of chapter 413, Acts of 1911, entitled "An Act Relative to the Retirement Fund for Laborers Employed by the City of Boston," with the number of men in the various departments who are effected by the provisions of said act, and any other information as may be pertinent to the question.

Coun. ATTRIDGE—Mr. President, I introduced this order simply for the purpose of securing for the Council any information which the Mayor may have from his heads of departments in reference to the operation of the act which calls for the retirement of laborers under certain conditions. On May 8 of this year the Council passed an order that the heads of departments, through his Honor the Mayor, be requested to report to the City Council the number of laborers who in their opinion would be affected by the provision of chapter 413 of the Acts of 1911, entitled "An Act Relative to the Retirement Fund for Laborers Employed by the City of Boston." I thought that possibly by this time the Mayor may have received some information from the heads of the various departments in regard to the number of men affected by the act as in regard to the operation of the Act, and this order is simply put in to-day to secure whatever information the Mayor may have received.

The order was passed.

PAYMENT TO MRS. CHESWELL.

Coun. CURLEY offered an order—That chapter 288 of the Acts of 1911, entitled "An Act to Authorize the City of Boston to Pay a Sum of Money to the Widow of William T. Cheswell," be and the same hereby is accepted, and that, under the provisions of the aforesaid act, the sum of three thousand dollars be allowed and paid to Millie B. Cheswell, widow of William T. Cheswell, late a chief of the Fire Department, who died from injuries received while in the performance of his dutics; said sum to be charged to the appropriation for Reserve Fund.

Referred to the Executive Committee.

APPOINTMENT OF FIRE COMMISSIONER.

Coun. CURLEY offered the following:

Resolved, That his Honor the Mayor be requested to appoint a Fire Commissioner for the City of Boston who has a knowledge of the duties of his position, and who has had sufficient executive experience to render him competent to act with judgment and discretion in the discharge of his duties.

Coun. CURLEY—Mr. President, in connection with this resolution I desire to state, from my observation and from conversation with officers and men in the Fire Department, that there is a serious menace to the discipline and the good order of the Fire Department should the present incumbent of the office of Fire Commissioner be permitted to continue in that capacity. I feel that his extreme youthfulness, his lack of executive experience, the fact that he never held any responsible position previous to holding this extremely responsible one ——

Coun. KENNY—Mr. President, I rise to a point of order, that the matter under discussion is not one with which this Council has a right to deal under the charter.

President COLLINS—The Chair rules that the order before the Council interferes with the executive and administrative function of the government, and therefore is contrary to the city charter. The Chair, therefore, rules the order out of order.

Coun. CURLEY—Mr. President, I presume, the Chair having made a ruling, that the only way in which I can present facts that are of vital importance to the City of Boston is by drafting an order along similar lines that will be acceptable and that will not be ruled out.

RECESS TAKEN.

The Council voted, at 4.38 o'clock p. m., on motion of Coun. BALLANTYNE, to take a recess subject to the call of the Chairman.

The members of the Council reassembled in the Council Chamber and were called to order by the President at 6.30 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Reports on petitions (severally referred to-day) for sidewalks, etc.— recommending the passage of orders that the Superintendent of Streets make sidewalks in front of the estates of the hereinafter named parties; said sidewalks to be made as specified, the owner to furnish the material, viz.:

Brick.

F. C. Small, Ellery street side of 27–33 Boston street, Ward 16.

Brick With Granite Edgestone.

Florence J. McCarthy, 206–210 Paris street, Ward 2.

Susan M. Connors, 8 Danube street, Ward 16.

Gravel With Granite Edgestone.

St. William's Church, James J. McCarthy, trustee, Belfort and Auckland streets, Ward 20.

Artificial Stone With Granite Edgestone.

Mrs. E. H. Crosby, 749 Saratoga street, Ward 1.

A. Isenberg, 49, 50 Allen street, Ward 8.

Jacob Silherstein, 148 Merrimac street, and 54–56 Norman street, Ward 8.

A. R. Rosenthal, 22 Huntington avenue, Ward 10.

Francis C. Welch, 19 Brimmer street, Ward 11.

South End Amusement Company, 1737 Washington street, Ward 12.

Norcross Brothers Company, East Concord street, Ward 12 (Memorial Hospital).

Samuel W. Johnson, 401–416 K street, Ward 14.

William H. Hardy, 27 Edison green, Ward 16.

Frank E. Shedd, Waldeck street, side of 40 Melville avenue, Ward 20.

S. T. Golden, 12–14 Erie street, Ward 20.

C. H. Kraft, 111 Bowdoin street, Ward 20.

Nicholas Isaacson, 26 Spring Garden street, Ward 20.

F. L. Williams, 29–31 Bainbridge street, Ward 21.

I. Shapiro, 140–146 Harold street, Ward 21.

Nathan Fritz, 17–19 Otisfield street, Ward 21.

Simon Hurvitz, 50–60 Walnut park and 65–71 Westminster avenue, Ward 22.

J. W. O'Brien, 79 Perkins street, Ward 23.

John McShane, 283–283A Neponset avenue, Ward 24.

Laban Pratt, 31–39 Taylor street, Ward 24.

George W. Macauley, 574 Norfolk street, Ward 24.

E. M. McKay, 578 Norfolk street, Ward 24.

Henry S. Clark, 1895 Dorchester avenue, Ward 24.

Norman Clark, 35 and 39 Torrey street, Ward 24.

W. B. Rice, 4–8 Train street, Ward 24.

Michael McPherson, 115–129 Franklin street, Ward 25.

Bernard Steuer, Linden street, at Reedsdale street, Ward 25.

John J. Smith, 80–96 Sutherland road and 80–84 Lanark road, Ward 25.

(2) Reports on petitions (severally referred to-day) for licenses to sell, rent or lease firearms— that licenses be granted, viz.:

Harry S. Levitan, 149 Dorchester avenue, Ward 13.

Myer Glodt, 2061 Washington street, Ward 18.

Glodt & Sisonsky, 1267 Tremont street, Ward 18.

Reports severally accepted; licenses granted on the usual conditions.

(3) Reports on messages of Mayor and orders (referred July 7), concerning charging of pensions to Reserve Fund — that no further action is necessary, viz.:

Benjamin F. Drown, to receive a pension.

James M. Page, to receive a pension.

Reports accepted.

(4) Report on message of Mayor (referred to-day), and report of James Donald, naval architect, relative to the steamer "Vigilant," recommending reference to the Finance Commission for recommendation and report.

Report accepted; said recommendation adopted.

(5) Report on order (referred to-day) to pay a sum of money to the widow of William T. Cheswell, in accordance with chapter 288 of the Acts of 1911— that the same be assigned for one week.

Report accepted; order assigned for one week.

(6) Report on message of Mayor and preambles (referred to-day) relative to electric railway transportation facilities in the City of Boston and its vicinity — that the same be assigned to the meeting of the City Council on September 18.

Report accepted; message and preamble so assigned.

(7) Report on message of Mayor and order (referred to-day) that the Superintendent of Buildings be authorized to expend the appropriation of $30,000, approved July 26, 1907, for Bath House, Charlestown — that the order ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. SMITH—Mr. President, I voted against this matter in Executive Committee for this reason, and this reason only, that, so far as I know, we have no plans or specifications showing just how that money is to be spent. While that may not be the custom,—and I know it has not been the custom in regard to such appropriations,—and while I think this money is undoubtedly needed in Charlestown for this purpose, nevertheless I want to start now asking for specifications in regard to such matters as these. I think the Council has made a great mistake in the past in not knowing more definitely what it has appropriated money for. We have appropriated money for such purposes as the rebuilding of Curtis Hall, for the East Boston Courthouse, the Ward 8 Bath House and other things, on generalities, without knowing definitely how the money was to be spent, without having any concrete knowledge of what we were voting for. This seems to me unnecessary. We should adopt an entirely different plan. Formerly we did have a city architect, and if we had such a person now we might refer to him for plans and specifications and to find out whether certain work could be done with the money asked for. At the present time we might very well refer such matters to the Finance Commission, and let them out of their appropriation hire such expert opinion as they might need, for our guidance; because in the cases I have cited we have been asked for supplementary amounts of money, and we don't know yet whether they have

got the necessary amount. In some cases the amounts have run more than twice over the original amount asked for, without any change or increase in the building. Therefore, it seems to me only logical that we should ask for—and we can do nothing but ask, we cannot demand or insist upon—plans and specifications showing how the money is to be spent. I don't know of any better place to begin than with the present appropriation. I am, therefore, going to vote against it, not because I think it is unnecessary, but simply because in voting for it I would be voting in the dark.

Coun. CURLEY—Mr. President, I would ask the gentleman if he ever knew of a case where a private individual was putting up a building where it was possible for him to tell in exact dollars and cents the amount that it would be necessary to expend?

Coun. SMITH—Of course, that question is not intended to have a real answer.

Coun. CURLEY—It certainly is.

Coun. SMITH—Nevertheless, I am very glad to say that no individual would feel that he was justified in spending money as we have spent it on Curtis Hall. If an individual could not estimate nearer to the final cost of the building than has been done in the case of Curtis Hall, I think he would very soon find himself out of business.

Coun. CURLEY—Mr. President, I have no desire to discuss the question. The gentlemen from Charlestown are fully competent to discuss it. But there has not been a publication of the *City Record* since it has been started that has not contained either a certain sum for addition on any building or a certain rebate to the city on a certain building advertised. And it is so with private contracts every day. Nobody can compute in exact dollars and cents the amount to be spent on certain work. Curtis Hall is, of course, an exceptional case. I know of no other exceptional case but Curtis Hall.

Coun. McDONALD—Mr. President, I am not going to discuss this proposition at length here to-night because of the fact that the matter has been before the Council last year and twice this year already. Some ten years ago there was $15,000 appropriated for an all-the-year-around bath and gymnasium in Charlestown. I think Alderman Quigley asked for an estimate of the cost of an all-the-year-around bath and gymnasium in Charlestown, with some one hundred lockers and fifty showers, and they gave him an estimate of $30,000. Fifteen thousand more was appropriated, and in 1907 they merged both appropriations, making an appropriation of $30,000. They have not attempted to spend the money yet because of the fact that a colored company was transferred over there in the first two months of Mayor Hibbard's administration and they took up the place intended for this all-the-year-around bath. They could not get them out of there, the state authorities said, until some other suitable place was provided for them, and they were not transferred until this year. In the meantime Charlestown has not been able to use this money. There is no doubt that something should be done in this matter at once, even if it costs a little more. We cannot recall now just how much it will cost, but we have got something to start with. Let us get the thing started, get the plans and estimates made and the building under way. Nothing can be done unless we start, and we want the all-the-year-around bath and gymnasium started. Certainly nothing can be done until the thing is started. The gentleman did not ask in executive committee for estimate and plans in connection with the extension of Arlington street. He told the Council here two weeks ago that that would cost only $175,000, not more than that, and the real estate expert says to-day that it will cost $400,000. He was satisfied to vote for that because he thought it would cost $175,000, when it will actually cost $400,000. There is not going to be any money stolen in connection with the construction of this all-the-year-around bath. The estimate was given by the Bath Trustees some four years ago. If we get this money the Public Buildings Department can start, and if we need more money later on it can probably be obtained—and it will be money well spent, because the people over there need such a place badly.

Coun. SMITH—Mr. President, I do not intend, as I said in my opening remarks, to enter into any discussion of the merits of this question. I have every reason to believe that a bath house is needed in Charlestown. I simply say that I do not care to vote any more money than I have already voted for buildings to be constructed under one department or another—especially under the Public Buildings Department of this city—without having some more definite means of knowing how much the buildings are ultimately going to cost or how much the repairs and changes in building are ultimately to cost. I do not, of course, expect or ask that anybody shall estimate within a few dollars of the final cost of an improvement or a building, but it is reasonable to ask that they let us know in advance nearer than twice the original appropriations or in some cases even more than twice the original appropriation. While we might very well be willing to rebuild such a building as Curtis Hall or to build such a building as is contemplated for a courthouse in East Boston or a bath house for Ward 8, if the amount were to be the sum originally asked for, we very likely would not think of it if the sum were twice as large. That is, the improvements would not warrant the expenditure of twice as large a sum. The Arlington street extension has been referred to by the last speaker. That, I think, is a very good example. We passed to its first reading the $175,000 appropriation, and I want to stand here publicly and go on record as saying that, if that is going to cost $400,000, as the last speaker thought, I shall not vote for it. Furthermore, I would say, in opposition to what he has said,—that I voted for it regardless of what it would cost,—that the very figures he has quoted are the figures given by the real estate expert of the city, which I personally asked for the very day the appropriation came up. I did not intend then to vote blindly on that matter regardless of the cost, and I do not now. Taking the Arlington street extension, it is simply a question of how much we are going to get for our money, and if it costs too much it ought not to be done, in fairness to other parts of the city. That is directly in point with what I have been saying in regard to public buildings. When we vote certain sums of money and the work finally costs twice as much as the original sum voted, we are not acting intelligently, comparing the cost of that improvement with the cost of other improvements in the city. While I have no doubt that the Charlestown bath house is needed, and while I have no doubt that the money would be wisely spent, I think it is time that we stopped appropriating money until we have some more definite idea of what we are getting for our money. This is only a test case. I hope it will not be taken personally; I hope it will not be taken as showing any ill feeling toward Charlestown or toward the improvement under consideration. I hope it will simply be taken as I said, that I want more definite information before I vote for money to be spent for the Building Department or for building improvements in the city.

Coun. BUCKLEY—Mr. President, all that the order calls for, as I understand it, is that the money be spent by the Superintendent of Public Buildings, so that the city can begin work on that Charlestown bath house, which is much needed. If we delay, it only means putting off the work so much longer, and it is absolutely necessary. It seems to me the people in that congested section of the city ought to have that bath house finished as soon as possible. I know that Coun. Smith wants the bath house over there and I know also he is perfectly willing that this thing should go through to-day. He is fighting for a principle that he believes is right. At the same time, the people of Charlestown ought not to suffer because of that. He cites Curtis Hall and other improvements that have taken place. It does not seem to me that we in Charlestown ought to suffer because of what has happened in other places. Over there in Charlestown the money that will be spent for this purpose will be spent wisely, for a good all-the-year-around bath house and gymnasium. No matter if it does cost a few hundred or thousand dollars extra, so long as the people benefit the money will be well and wisely spent. I know he will withdraw his objection to-day and will vote to pass this order.

The order was passed, yeas 7, nay 1, Coun. SMITH voting nay.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up Nos. 2 and 3, unfinished business, viz.:

2. Action on appointments submitted by the Mayor, August 22, of Fred G. Trask and Robert H. Walsh to be Constables for the term ending April 30, 1912.

3. Action on appointments submitted by the Mayor, August 22, viz.: Charles H. Gelpke, to be a Gauger of Liquid Measures; Walter N. Fogarty and Francis C. Powell, to be Weighers of Coal; Henry H. Walters, Fred Kitson, William A. Podolski, William H. Drake and William L. Woods to be Weighers of Coal, Measurers of Wood and Bark, Measurers of Grain, Weighers of Boilers and Heavy Machinery and Weighers of Beef; all for the term ending April 30, 1912.

The question came on confirmation. Committee, Coun. Curley and Ballantyne. Whole number of ballots cast 8, yeas 8, and the several appointments were confirmed.

PLAYGROUND ACCOMMODATIONS, WARD 19.

President COLLINS called up No. 4, unfinished business, viz.:

4. Ordered, That under the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of sixty thousand dollars from the appropriation for Playground, Parker Hill, to an appropriation for Playground Accommodations, Ward 19.

On August 22 the foregoing order was read once and passed, yeas 6, nays 0.

The question came on the final reading and passage of the order.

Coun. BUCKLEY—Mr. President, I am sorry I was not in my place when this matter came up, but since this order was passed two weeks ago several people from Ward 19 have come to see me on the ground that this money was originally appropriated for the Parker Hill section of that ward. I don't know just where Parker Hill is,—that is, how hard it is for people in the ward to get there,—and I don't know just how hard it is for the people of the Parker Hill section to get to wherever the playground is to be. But it seems to me, in view of the feeling of the people of that section, that this might be put over for a week or so, in order that we might have those people tell just what they really want. If it is for the benefit of the entire ward I am willing to vote for it to-day, but it seems to me that the people of the Parker Hill section, if there are many children there, ought to be considered, as this was passed originally for this section. However, if the order comes to a vote to-day I shall vote for it.

Coun. CURLEY—Mr. President, I will explain for the benefit of Coun. Buckley that Mr. Prendergast of the Park Commission asked me to call one day about two weeks ago in connection with this matter. He said that they had held three public hearings, that the loan had been authorized about three years ago and that they were unable to agree on any site. It was felt that it was necessary to spend $100,000 in Ward 19 to provide the necessary playground and that the first step in the work was a change in the wording of this appropriation, so that it would be an appropriation for Playground, Ward 19, rather than an appropriation for Playground, Parker Hill. If the Council passes this the Mayor is ready to recommend the appropriation of an additional $40,000, making $100,000 for proper playground facilities for Ward 19. As I say, they have had a number of public hearings, and in their opinion this is the only way in which the proposition can be worked out satisfactorily to all concerned.

The order was given its final reading and passage, yeas 7, nay 1, Coun. SMITH voting nay.

Coun. BALLANTYNE in the chair.

HIGHWAY APPROPRIATION.

Chairman BALLANTYNE called up No. 5, unfinished business, viz.:

5. Ordered, That under the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of one hundred seventy-five thousand dollars ($175,000) from the appropriation for Reserve Fund to the appropriation for Highways, Making of.

On August 22 the foregoing order was read once and passed, yeas 6, nays 0.

The question came on the final reading and passage of the order.

Coun. COLLINS—Mr. President, at the last meeting of the Council I voted against this proposition on the ground that I did not know what the cost would be, that I could only see at that time that it might be a benefit from an esthetic point of view. Since that time we have had figures here from the real estate expert of the Mayor and also from some attorney of the property owners, that the expenditure will amount to over $400,000. If that is so, it seems to me an outrageous amount to ask for, particularly if the place will not be greatly benefited even from the esthetic point of view. Since that time I have concluded from my observations that there would not be a great benefit from that point of view. Therefore, I have come to the conclusion, after three weeks, that we ought to take a firm and decided stand on the proposition and defeat it. At that time I also said: "The question of street improvements is a big one in Boston. There is Norfolk street in Dorchester, Faneuil street in Brighton, and countless other streets. The proposition before us is an excellent one from an esthetic point of view, and if I believed the money can be well afforded, as I have already stated, I shall be in favor of it, but at this time to vote in the affirmative would be hasty and ill-advisable. Accordingly, I shall vote at this time 'No.'" Since that time I have looked into the matter and it strikes me that the action of this Council at this time should be decisive, that we would vote, absolutely "No" on this proposition. If it is defeated I shall introduce two orders, one providing $150,000 for Norfolk street, an improvement which has been sought for many years, and the other for Faneuil street. As is well known by Coun. Curley, as a member of the old Board of Aldermen, and possibly by others, I think during the Hibbard administration an order for $150,000 for Norfolk street came within one vote of passing the Board. Now with a Reserve Fund of $800,000 I think that is an admirable improvement to make, one that ought to be put through as speedily as possible. Therefore, if this order is defeated at this time I shall introduce an order for $150,000 for Norfolk street, Dorchester, and $50,000 for Faneuil street, Brighton.

Coun. SMITH—Mr. President, I am rather surprised that this has come up. We discussed this matter at some length in the Executive Committee and considered it in connection with the possible closing of Otter and Beaver streets. As the maps will show, Otter street is now the terminus of the drive on the esplanade and Beaver street is within three houses of the proposed extension of Arlington street. So each one of these two small alleyways, as they exist at present, would be within three houses of the proposed extension, and one of them is the terminus of the drive on the esplanade. Therefore, those two streets should be taken into consideration in connection with any proposed extension of Arlington street. It is perfectly in point to consider them, and in executive session we did consider them. Those two streets differ from ordinary streets in this respect, that they are owned in fee by the City of Boston. The only reason why we cannot close those streets legally is because they were sold with rights of way to the abutting owners. It is not definitely settled in my mind, although it may be in the minds of some other members of the Council, that we can close those streets and sell the fee that the city owns there. If we can, we can sell three house lots of good size in a most desirable location, and that would offset the cost of the property we would be obliged to take to extend Arlington street. In other words, the cost of that improvement would be comparatively small, one thing about offsetting the other.

It seems to me, when there is such an opportunity, that it is worth investigating and that we ought to ask the Law Department as to the legal side of such a possibility. I think we ought to do it not only to satisfy ourselves on this point, but to satisfy the numberless people in the City of Boston who are interested in this extension. As was quoted in the executive meeting, the joint board of metropolitan improvement has gone on record in its report for 1911 as saying that the present approach to the esplanade is inadequate, obscure and indirect, and they have recommended that the metropolitan park system bear the expense of a connection by an extension of Arlington street with the Public Garden and Common. We have a tremendous park investment in the Garden and in the Common; we have an investment of approximately $4,000,000 in the basin and its surroundings. It seems absurd, when those two great park tracts of land are within 150 or 200 feet of each other, that the citizens of Boston should not connect them with

an adequate park connection. Consider how it would he if we had the Fenway absolutely unconnected with Commonwealth avenue or had the Arhoretum absolutely unconnected with Franklin Park except hy a roundahout hack street. Do you think that would he wise? Is it any more wise not to connect the Puhlic Garden and the Common with an investment on the esplanade of approximately $4,000,000? I tell you right here that the esplanade and the hody of water it touches are as important to us as Franklin Park, every hit,—in fact, ten times more important, because it is ten times as availahle to the slums of the city. Let us do all we can to make the esplanade as availahle as possihle to the West and South Ends and to the South Cove. If we ill-advisedly block the interests of the poor people of the city so that they cannot get to this esplanade, we are doing a great injury. The poor people enjoy a hoat ride or a walk in the open air along the water front, such as would be afforded here, much more than the people of the Back Bay or of Dorchester and Jamaica Plain could enjoy them, because the poor people in the congested ends of the city do not have the outdoor opportunities that some of these other people have. If those people are to be cut off from this improvement which has cost the City of Boston $4,000,000 simply because the Council of the city refuses to grant a modest request of the Mayor to appropriate $175,000, on the ground that the proposed improvement is to cost much more than that, we ought to be ashamed, unless such information is thoroughly grounded. Such information may be thoroughly grounded, but I say, so long as we have the possihility of making this improvement at a small cost, hy closing Otter and Beaver streets and selling the three house lots already referred to, we should not act hastily. We should not act in opposition to this proposed improvement until we are thoroughly informed, learning from the Law Department whether or not those streets can he closed. Some of the legal members of the Board are entirely of the opinion, without any reservation, that such cannot he done. If such is the case, they have nothing to lose hy waiting until the legal department of the city verifies that opinion. In fact, they are strengthening their position, because values there are constantly growing and the cost to the city is constantly growing. Therefore, the arguments in their favor are constantly growing. Consequently there can he no harm to them to have the question put up to the Law Department. We are constantly putting questions up to the Finance Commission—which, when all is said and done, is nothing but a department of the City. Why not use the Law Department. and get some information about this matter? It is a peculiar coincidence that these two streets are owned hy the city in fee, and the possihility that these lots can he sold and set off against the expense of the Arlington street extension is something that should certainly he thrashed out. I am not making this request personally. I personally would like to know, however, what the real cost of this extension is to he. I think we should know the real cost, that otherwise we cannot vote intelligently on the suhject. The last speaker said he was going to vote against the order because the cost was to he $400,000, or in the neighhorhood of that. If we could sell these lots and reduce the cost to $100,000 or $200,000, his opinion might very well change. So long as there is a possihility of that happening it seems to me every member should he willing to have the Law Department thrash it out. Not only that, hut it seems to me the citizens of Boston living in the West and South Ends and in the South Cove have a right to have us settle the matter authoritatively. And it seems to me the people who have an esthetic interest in the city and who would like to see an extension of Arlington street the other way, to connect with Castle square, have a right to have the matter thrashed out. Let us thrash out every possihility, and until we are satisfied that this improvement will cost more than memhers of the Board think it should, we are not doing our duty hy the voters of the city in defeating this order.

Coun. COLLINS—Mr. President, the question before us is the appropriation of $175,000 for this purpose for the second and last time. We first voted upon the matter three weeks ago. As the gentleman well knows, if we now change the amount of money to he appropriated it will require action at two separate meetings just the same. So it will he a new proposition, something to he passed upon all over again. The Mayor's message, which he sends to the Council to-day, perhaps involves the closing up of a couple of other streets. But that is a different proposition. The Law Department can report on that and we can act on that. If we take this up in two weeks' time we are taking up an old matter that we discussed and acted upon three weeks ago. In other words, we will have to have two separate meetings for any piece of legislation on this proposition, whether we appropriate $207,000, as the Mayor says, or $175,000. It seems to me that our duty is clear, that we ought to dispose of this matter to-day. Again, referring to the gentleman's language, I know of no slums in the City of Boston in the South, North or West Ends or the South Cove. There are no slums in this city, in my opinion. The original proposition here, which we have once acted upon, was to extend this street at a cost of $175,000 which the Mayor thought at the time would he sufficient. At that time I asked for specifications. I have not received any as yet. But the Mayor's expert now says that the improvement will cost $400,000, and the attorneys for the property owners say so also. That is a different question. I do not helieve the City of Boston has reached a stage where it can spend that amount of money for that purpose. As for the poor people of the North, South and West Ends, they can get there just as well whether or not Arlington street is extended. What they need is a beautification of the hasin itself. The people of the North and West Ends get there hy way of Beacon Hill now, over hy the State House, and they do not need this way that has been referred to, and the people of the South End can get there through other streets. The more logical thing would be the widening of the esplanade. But, he that as it may, I take the floor particularly to-day owing to the fact that Coun. Hale, who is at present in New Hampshire, wrote me a letter, which I have in my possession, stating that if he were here he would vote against this proposition, and he sets forth a numher of reasons. At two o'clock to-day I received a call on the telephone downstairs in the old aldermanic chamher from Coun. Hale, and he asked me to offer this letter, have the Clerk read it and have it incorporated in the minutes. For that reason particularly I have taken the floor. It seems to me we ought to defeat this proposition now. If a new proposition is put forth in the future, we can act upon it; but our duty is plain in regard to the proposition referred to us hy the Mayor two weeks ago. It seems to me it is our duty to kill it and to kill it now. I offer the letter from Coun. Hale to the City Council and ask that it he read and incorporated in the minutes.

The letter from Coun. Hale, read hy Coun. COLLINS in part and then ordered spread upon the records, was in full as follows:

Dublin, N. H.,
September 9, 1911.

Walter L. Collins, Esq.,
President City Council, Boston:

Dear Sir,—At our last meeting I voted for a transfer of $175,000 for the extension of Arlington street to the new embankment. I did so, as did Coun. Attridge, on the express understanding that the vote was not on the merits of the transfer,—a question which I was at that time not able to answer,—but was for the sole purpose of enahling the city to make a hetter hargain for the property when there were no huildings on the land, in case upon further investigation the project should seem a wise one. It was for this purpose that I used every effort to obtain the six votes necessary to pass the transfer on its first reading at our last meeting.

I understand that the transfer will come up for its second and final reading on Monday next. Since our last meeting I have given the matter careful consideration and have made up my mind on the merits of the transfer. As I shall be unable to attend our meeting on Monday, I am sending you my views on the suhject, which I shall he glad to have placed upon the records. I feel it my duty to take this step hecause I live in and am familiar with the neighborhood of the proposed extension.

In my opinion it would he unwise for the city to spend this $175,000 on this extension; if I were at our meeting on Monday I should vote "No" on the transfer. My reasons for this opinion are as follows:

First.—The amount, $175,000, is inadequate: The two vacant lots themselves could not be acquired for any less than $150,000. These two lots would not he wide enough, since they are not as wide as Arlington street and since the extension, in order to be effective, ought to be wider

than the street. The building to the east of the vacant lots would have to be taken, at a minimum cost of $60,000. After the extension reaches Back street there are two alternative courses for it to pursue: (1) continue straight ahead to the embankment; (2) curve to the west so as to avoid the Union Boat Club. If the first alternative is adopted, three lots between Back street and Chestnut street assessed at $71,000 in all will have to be taken; and perhaps lots to the north of Chestnut street. The minimum cost of land taking under this alternative would be $281,000; and to this would have to be added the cost of the extension itself and possible damages resulting from the interference with rights of way over Back street. If the second alternative is adopted, the Beacon street house to the west of the vacant lots will have to be taken at a minimum cost of $70,000 and one lot on Back street assessed at $6,000. The minimum cost of land-taking under this plan would be $286,000. Thus in any case the cost to the city will exceed $300,000. Even if the Metropolitan Park assessed the cost later, the city would be obliged to pay 60 per cent of at least $300,000 or at least $180,000. And there is absolutely no assurance or evidence that the Commission will act in this manner. My figures throughout have been conservative, *i. e.*, the city would in all probability have to pay much greater sums.

Second.—The extension may result in injury to the Public Garden. The cold winds from the basin which now cause so much trouble to foot passengers on Beacon street crossing Berkeley and other side streets, will sweep through the opening on to the Public Garden and will make a portion at least of the garden uninhabitable for small children during the winter. It has been suggested that these winds might even change the vegetation of the garden.

Third.—The extension will result in injury to the embankment. The extension will be used mainly by automobiles and will result in a great increase in the number now using the embankment. This will interfere seriously with the safety and the health of the women and children of the crowded sections of the West and North ends who use the embankment in increasing numbers as a recreation ground. The dust from the automobiles and the danger of accidents will decrease the use of the embankment for this purpose.

Fourth.—The extension is not needed for traffic reasons. No heavy teaming can be done on it, as the regulation of the Park Commission wisely forbid it. Foot passengers and light carriages have a satisfactory entrance on to the embankment now through any of the side streets from Massachusetts avenue to Otter street. There is practically no traffic of that kind coming along Arlington street that could not equally well come along Berkeley or Charles streets. The only traffic which will really benefit by the extension will be the automobiles which now go down Commonwealth avenue and across Arlington street. As I have already stated, I think it should be the policy of the city to discourage rather than encourage the further use of the embankment by automobiles.

Fifth.—The extension will not popularize or "open up" the embankment. In the first place, the increase in automobiles will, as already shown, result in making the embankment less attractive to the women and children of the crowded sections of the city. Nor will the extension render the embankment easier of access to the people of the crowded sections. The people of the West and North ends would naturally, and do, enter the embankment from Cambridge street or over Beacon Hill. From the South End and Ward 7 the natural route to the embankment would be either from Park square over Charles, or over Berkeley street. Both these streets furnish direct thoroughfares. From South Boston the "Harvard square City point" electrics furnish a rapid and direct means of transportation. From Dorchester and Roxbury there are direct lines of cars through Charles street. In other words the embankment is at present connected with every part of the city. The extension of Arlington street would in no way help. Money spent on the basin or the embankment itself is what is needed in order to popularize that neighborhood; not money spent in furnishing new means of access. Even assuming that $175,000 is adequate for the extension—and it is not adequate,—interest on that sum at 3½ per cent is over $6,000. Six thousand dollars a year spent on the basin itself in the way of extra concerts, water sports, fireworks, etc., would do far more to popularize the basin than would this extension.

For these reasons I am strongly opposed to the extension. The only valid argument in its favor is that it will serve as a beautiful connecting link between the Common, the Public Garden and the embankment. This argument is far outweighed, in my opinion, by the ones given above against the extension. This is especially true when the really vital needs of other parts of the city are considered: The Charlestown Police Station, the municipal building in Wards 7 and 9, the new Consumptives' Hospital, the Almshouse, and many more. I do not think that we should be justified in spending even $175,000 on this questionable improvement at the sacrifice of any of these other improvements.

I sincerely hope that the transfer of $175,000 for the extension of Arlington street will not be made.

Respectfully yours,
MATTHEW HALE.

Coun. CURLEY moved that the order be laid on the table. The motion was declared carried. Coun. COLLINS doubted the vote and asked for the yeas and nays.

The motion to lay on the table was lost, yeas 4, nays 4.

Yeas—Coun. Buckley, Curley, McDonald, Smith—4.

Nays—Coun. Attridge, Ballantyne, Collins, Kenny—4.

Coun. CURLEY—Mr. President, I move a reconsideration of the vote just taken, hoping that the same will prevail, and if that motion is carried I shall move that further consideration of the matter be assigned for two weeks. I shall do that for this reason, that I feel it is just possible that we may receive a report from the Metropolitan Commission and it might be of some value in determining what we shall do on this proposition.

Chairman BALLANTYNE—The question is on reconsideration.

Coun. CURLEY—Mr. President, I appreciate that and that is what I am discussing. Personally I feel inclined at the present time to vote against the proposition, but if we can obtain information that we should be in possession of before voting upon the matter I believe we should do so. That is the contention that is raised upon every measure.

Coun. KENNY—Mr. President——

Coun. CURLEY—Mr. President, I have not yielded to Coun. Kenny or anybody else, and I have this floor. I want to say, Mr. President——

Coun. KENNY—Mr. President, I rise to a point of order, that you cannot reconsider the preceding vote, because there was no vote. I ask for a ruling.

Chairman BALLANTYNE—The point is not well taken.

Coun. CURLEY—Mr. President, to continue on the question of reconsideration, I suppose it is rather an unfortunate feature of the proceedings of this Board that a person has the privilege of talking. That apparently seems wrong to the gentleman on the other side of the Chamber when other members have the floor. But if I were a legal light I would try to use some judgment before rising to points of order that would not reflect any credit on a person demented. To continuc on this proposition, I want to say that it is just barely possible that the Metropolitan Commission may submit a report.

Coun. KENNY—Mr. President, I would like to ask the gentleman a question.

Coun. CURLEY—Mr. President, speaking on the question of reconsideration I want to say it is just possible that we may receive information that may be of value to us in determining our course. At the present time if a vote is taken I shall vote against this proposition. Personally I believe that no great injury would result if we delayed action two or three weeks, and in the event of reconsideration I am agreeable to making a motion that the matter be assigned for two weeks. I don't think we should kill the thing in cold blood before knowing the facts—at least that is the argument raised against every proposition that I attempt to force through here or in executive session, and if that argument is used in regard to measures that I advocate I don't see why it should not apply to other measures. I think it is sound. Upon every proposition that I have ever advanced somebody else has raised that question, asking for delay in order to get information, and if that holds

good in such cases I don't see why it should not hold good here.

Reconsideration on the motion to lay on the table was declared lost. Coun. CURLEY doubted the vote and asked for yeas and nays.

Reconsideration was lost, yeas 3, nays 5:

Yeas—Coun. Buckley, Curley, Smith—3.

Nays—Coun. Attridge, Ballantyne, Collins, Kenny, McDonald—5.

The question came on the passage of the order.

Coun. SMITH—Mr. President, I would like to move an amendment to the order—that the matter be referred to the Law Department for its opinion as to whether Otter and Beaver streets, which the city owns in fee, can be sold by the city, the price to be offset against the price of extending Arlington street. It seems to me consistent in view of the fact that we have taken the same action on the $207,000 asked by the Mayor. The difference is only a difference in amount. If that other matter was referred to the Law Department, there can be no argument against referring this to the Law Department, unless some members wait to prejudice the matter in the eyes of the public by simply refusing the $175,000 at this time. If that is not their position they certainly cannot properly refuse to put this before the Law Department when they have already voted to refer the $207,000 item to the Law Department.

Coun. KENNY—Mr. President, I shall take but a few minutes of the Council's time, as the hour is late. Yesterday afternoon I took occasion to go over to the esplanade and examine the premises that are the subject of discussion here. I walked from Beacon street through Otter street and on the roadway or boulevard that runs to the corner of Charles and Cambridge streets. I think I spent thirty or forty minutes on that boulevard. At that time two automobiles passed over it. As I have already stated, I am not going to take the time of the Council to discuss this matter, because my sentiments have already been very fairly expressed in the remarks made by the President of the Council. It seems to me that Otter street answers every purpose which the extension of Arlington street would consummate. It is such a short distance, but a few feet from Arlington street; it is the natural entrance to the esplanade when you get there. I don't know of any great reason why you should want to connect Arlington street with that portion of the esplanade. When you get there you simply have an avenue that leads out to Charles street, and that is the end of it. There is no connecting link there that goes to advance or make more valuable the park system. There is a perfect connection now on Otter street. I will admit that possibly the owners of property abutting on that part of the esplanade that runs from the end of Otter street to the bridge might possibly be benefited, because they would have another entrance on to Beacon street; but aside from that, as a matter of public necessity, I don't think this is of any importance at all. For that reason I shall vote against it in all forms and all phases.

Coun. SMITH—Mr. President, of course I am not going to enter into the merits of the question now, as this is not the time to do it. All we are asking is to have the Law Department settle one little point in regard to Otter and Beaver streets. I am not going to enter into the merits of the question. Of course, there is just one thing to be said when the gentleman speaks of being thirty minutes in that locality——

Coun. KENNY—Forty minutes.

Coun. SMITH—Well, I will grant him the benefit of the full time, forty minutes. Certainly a man who is there forty minutes is not as able to judge of the necessity of that extension as is the Joint Board of Metropolitan Improvements, which has gone on record as saying that Arlington street should be extended. But I will let that pass, not arguing at this time the question whether it should or should not be extended. The main point here now is as to the cost. I don't think the councilors here, if it did not cost anything, would object to doing it. All I am asking is that the Law Department shall have submitted to them the question of whether we can sell the land in those streets. If so, it may cost the city nothing—in which case it would be absurd not to do it. We have already voted in executive meeting to refer a proposed appropriation of $207,000 to the legal department and can any gentleman stand up here and tell me that there is any difference between that and the question under discussion—whether we shall appropriate $175,000. It is merely a difference as to amount, and a small difference in amount at that. There is no difference in principle, and if one is put up to the Law Department, there is no reason why the other should not be. It is certainly a fair request. I am not asking this for myself. I think it is a matter for which every member should be glad to vote. What Coun. Curley says is absolutely so. We vote down many requests in this Board because we don't think we have full information at hand. We have done so already this afternoon in regard to the workmen's compensation act. We have done so on this very question, in another phase, and why should we not do so here now on this question of the amount that will be necessary. We want all the facts. When a newspaper in Boston sees fit to print a whole page in regard to this matter and come out editorially on it in a different issue, isn't it up to us to act as intelligently as possible? Are we going to act violently, on prejudice? There is undoubtedly some prejudice in this matter. I don't want to enter into personalities with any member of the Council but undoubtedly there is prejudice in this matter. We ought to act as intelligently as we can, getting all the information we can. We ought not to act on a thirty or forty minute inspection; and I ask that this matter be referred, as we have referred the $207,000 matter, to the Law Department.

Coun. KENNY—Mr. President, I beg to assure my friend that I have no prejudice against him or any other member in connection with this matter, not the slightest. I went there as one familiar with the surroundings already. I am no stranger to that part of the city, and I knew about the conditions before I went there. I went there to see the houses being torn down. I knew the other conditions. I see no reason why we should destroy valuable property in order to connect Arlington street with the esplanade when there is already a connection by Otter street and the roadway into Otter street, as good a connection as this street would be. To be sure, there is not a continuous direct connection, but you are only diverted a very few feet and then you are right in the esplanade. There is one thing that Coun. Hale speaks of which perhaps the members may not have heard, because my friend from Ward 17 (Coun. Curley), with his usual desire to expedite the transaction of business here, had the reading of the latter part of the letter omitted. But Coun. Hale did make a very good point in one of his reasons when he stated that Beacon street is a protection in its present condition to the Public Garden. As a matter of fact Beacon street, the water side, is a protection to the Public Garden, and if you open up a broad channel to the north, it stands to reason that in the winter and spring time you are going to have cold winds sweeping across the Public Garden, and undoubtedly there might be injury to the flowers as well as discomfort to the people. My friend Curley, I see, is laughing at that argument, but it seems to me that it may be a very good one. However that may be, this proposition is not a good one to my mind. I spent forty minutes there, if the gentleman will permit a slight amendment, not thirty minutes, and saw only two automobiles passing over that section. That esplanade is just as much open to the public now as it ever will be, even with the so-called extension of Arlington street. I desire also to associate myself with our president in deploring the use here of the word "slums." I don't see quite what the word "slums" has to do in this debate. There are no slums in Boston. There are poor people, but they are not in slums, and they have just the same opportunity now to go over there and see the Charles River Basin without the destruction of this property as they would have with the widening and extension in there of Arlington street.

Coun. Smith's motion to refer to the Law Department, with a request to make a report on the legal question in regard to Otter and Beaver streets, was declared lost. Coun. SMITH doubted the vote and asked for the yeas and nays. The motion was lost, yeas 3, nays 5.

Yeas—Coun. Buckley, Curley, Smith—3.

Nays—Coun. Attridge, Ballantyne, Collins, Kenny, McDonald—5.

The question came on the passage of the order.

Coun. SMITH—Mr. President, I would like to offer an amendment to this, calling for a special assignment one week from to-day and a hearing before the meeting of the Council.

Coun. COLLINS—Mr. President, I hope the same will not prevail, because nothing can be gained thereby. He will have his day in court in the future when the Law Department reports on the order of the Mayor that is to be reported upon,

referred by the Executive Committee. Nothing at all will he gained hy what he suggests. I would like to quote three lines from Coun. Hale's letter, in which he refers, not to $400,000 or $207,000, but to $175,000:

"In my opinion it would be unwise for the city to spend this $175,000 on this extension. If I were at our meeting on Monday I should vote 'No' on the transfer. My reasons for this opinion are as follows: First, the amount, $175,000, is inadequate."

And then he goes on to show why, as already read.

Coun. SMITH—Mr. President, it is a hold statement indeed to make that nothing can he gained by a puhlic hearing on a subject on which some members of the Council admit that they are not satisfied on all the points connected with it. When I recall the hearings that have heen granted this year, and some of the trivial suhjects that have been the occasions for those hearings, it strikes me as a peculiar thing when we are considering the extension of a street, one of the streets intended to be an artery in this city, when we consider the indorsement of this proposed extension by the Metropolitan Improvement Commission, when architects in this city have come out openly in favor of it, when one of the newspapers has taken it up actively, when there is a considerahle element in the community demanding its serious treatment, I say it is a grave statement to make that we can have no further light on the subject, and the man who makes it is very bold indeed when he says he knows all that is to he known ahout the special suhject. In asking for a puhlic hearing I feel that I am asking for a chance for certain memhers of the community to express themselves before this hoard, and to enlighten us on certain points that we may not appreciate at the present time, and I think it is only fair to a large portion of the community to ask for that hearing.

Coun. COLLINS—Mr. President, the gentleman is in error when he says I say that I can see no good to be gained hy a public hearing. I only say that he can have a public hearing on this question in the future, but in my opinion the Council will not permit him at this time to save this $175,000 proposition to he voted on in the future, in the next two or three weeks. We are going to defeat this, I helieve, and I believe we ought to do so.

The motion to assign and have a hearing was declared lost. Coun. SMITH doubted the vote and asked for the yeas and nays. The motion was lost, yeas 3, nays 5.

Yeas—Coun. Buckley, Curley, Smith—3.

Nays—Coun. Attridge, Ballantyne, Collins, Kenny, McDonald—5.

The question came on the passage of the order.

Coun. ATTRIDGE—Mr. President, at the last meeting of the Council, on August 22, I voted in favor of the appropriation of $175,000 out of courtesy to the two gentlemen from Ward 11. I stated that I reserved the right to vote against the appropriation when it came before us for a second reading, and to-day I stand ready to vote against the appropriation of $175,000 for this extension of Arlington street. I shall vote against it because I helieve the extension is a luxury, is not an ahsolute necessity, and the failure to provide this luxury, what I term a sort of court entrance to the esplanade, will not seriously inconvenience many people, while failure on the part of the city government to provide necessary improvements in other sections of the city will seriously inconvenience many people. The esplanade as it is to-day, in my opinion, is easy of access. I have visited the esplanade many times and I know from personal knowledge, beginning with Otter street and going up to Massachusetts avenue, that it is easy to reach. A number of our wide thoroughfares run into the esplanade; so I do not think this improvement is needed for the people of the South End or other sections of the city in order to easily reach the esplanade. That can be done now. Two years ago the City Council went throughout the city on its peramhulating tour, and at that time the people of the city in various sections told the Mayor and City Council ahout necessary improvements; and there are, in my opinion, to-day, improvements in this city which are not luxuries, but which are actual necessities and which should be attended to hefore we expend the city's money for an artistic, esthetic improvement. I hold in my hand here a list of requests for local improvements. A memher of the Council has but to look through that list and he will see any numher of improvements that are desired and are actually necessary in our city. Some memhers of the Council to-day have already spoken ahout Norfolk street in the Dorchester district. That, in my opinion, is more important to the people of the entire city than this artistic improvement. We have police stations in the city for which the money of the city could he well used to replace them with new huildings, and the same is the case with the fire stations of the city. I say that this is not a necessary improvement. The Bath Trustees in their last report stated that an urgent improvement in Brighton was the erection of a suitahle bath house so that the people of that district might have proper hathing facilities, hut that district of the city is not the only one which lacks those facilities at the present time. As the gentleman on the other side of the Chamher has already stated, one of the newspapers of the city has come out in favor of this proposition. Yesterday it had a full page in reference to this avenue from Castle square to the Charles river; and that same paper which is advocating the expenditure of the city's money for an artistic improvement in a way criticised the Mayor of the city in an editorial on August 21. The editorial is headed "The Mayor's Folly," and the important part of it says:

"The modern city needs real protection against the possibilities of conflagration much more than it does those artistic improvements which his Honor, in a happy and care free way, has recommended to the people of Boston on his return from a triumphal tour of the capitals of the Old World. Let him give the city what it needs and stop this fiddling!"

And this same paper which has criticised the Mayor of the city for recommending these artistic improvements itself comes out in favor of what I term an artistic improvement. This same paper published a series of articles in regard to the need of hetter streets in various sections of the city, and during the month of May that paper contained many articles in reference to street problems in Dorchester, West Roxhury and Brighton. In another editorial in the same paper it tells ahout our neglect of the suburbs in the matter of highways and says that reasonable street conditions must be provided if Boston intends properly to develop its outlying wards. There are other improvements, in my opinion, for which the money of the city could he used to hetter advantage. The Boston *Journal* had an editorial yesterday showing the way in which some of the city's money could be used in a much hetter way than for this artistic, esthetic improvement, this court entrance, as I call it. There are streets in the suburhs that should be paved, streets that should be laid out and accepted, and that same paper has stated that the city could use ten million dollars in the suburhs for laying out the streets. Laying out streets is an ahsolute necessity, and I do not believe that this improvement is an ahsolute necessity. If the memhers of the Council have no ohjection, I should like to have printed in the minutes two letters which I have received in regard to this so-called improvement, two letters which in their tenor state that "there are so many vital improvements to be made in Boston that it seems a pity to waste the city's limited resources on this costly scheme of douhtful henefit. The spirit which urges it is fine. But in the case of this so-called improvement it seems misdirected." If the memhers of the Council have no ohjection I would like to have these two letters printed in the report.

Chairman BALLANTYNE—If there is no objection that will he done.

Coun. ATTRIDGE—And for those reasons I shall vote against the appropriation.

Chairman BALLANTYNE—If there is no ohjection the letters will he printed in the record.

The letters referred to were as follows:

Boston, September 7, 1911.

John J. Attridge, Esq.,
30 Pemherton Square, Boston:

Dear Mr. Attridge,—As you know, I represent Mrs. Motley, Mrs. Burnham and Mr. Croshy, the owners respectively of 97, 96 and 95 Beacon street. Nos. 96 and 95 were torn down a while ago and new houses are now in process of construction on those two lots. No. 95 has cost Mr. Croshy hetween $70,000 and $75,000, I believe. This is without taking into consideration the liahilities he has already incurred on his new house, and which must amount to somewhere hetween $10,000 and $20,000 of actual cash which he must pay in any event. Beyond this, if his estate were

taken he would be liable to all the contractors and subcontractors for the loss of their contracts. I should think it would cost the city at least $100,000 to take his property.

The situation in regard to Mrs. Burnham's estate is substantially the same, except that her property originally cost her some $10,000 or $15,000 less than Mr. Croshy's estate cost him.

If you are to continue Arlington street straight you must take besides the Croshy and Burnham estates a house of a Miss Matthews, No. 94, worth prohably $75,000, the Union Boat Cluh House, which must he worth $80,000 or $90,000, two stables on Back street and a little lot adjoining the stables. The total expense of this would he over $350,000 and prohahly would amount to $400,000.

If Arlington street is carried through on a curve, so that the Union Boat Club property is not touched, the city would have to take, heside the Croshy and Burnham properties, those of Mrs. Motley at No. 97 and of Mr. Pickman at 98. Both Nos. 97 and 98 are houses which have been fixed over with all modern conveniences, and very considerable sums have heen spent on them. The total cost of these four houses would he considerably over $300,000.

If you should carry Arlington street through straight you might have a handsome street. If you carry it through on a curve it seems to me that you get no henefit from your improvement at all, except a slightly easier way of reaching the embankment from the Puhlic Garden.

In either case you will have a street which cannot be used for teaming and which, as far as other driving is concerned, leads nowhere in particular at the northern end. You will also have a street flanked at Beacon street hy two gateposts in the shape of a couple of houses left standing at the sides of Otter and Beaver streets. They will not be ohjects of heauty.

Will the new street increase the use of the Charles River Emhankment? It seems to me that it would not one iota. The emhankment is perfectly accessihle now from the South End by way of Massachusetts avenue, Dartmouth and Berkeley streets, straight, wide thoroughfares. It is also accessihle hy Charles street. It is hut a step to the embankment from the Public Garden hy way of Otter street. I cannot conceive of any crowds heing hrought to the emhankment hecause people could see it from the Puhlic Garden, and yet it is seriously argued that this continuation of Arlington street would be worth $300,000 to the city.

If I were a memher of the City Council I should greatly prefer to spend the same amount of money for puhlic facilities in the more densely populated portions of the city.

Yours truly,
ROBERT HOMANS.

Robert P. Bellows, Architect,
8 Beacon Street,
Boston, September 7, 1911.

John J. Attridge, Esq.,
No. 118 Malden Street,
Boston, Mass.:

Dear Sir,—The order before the City Council for $175,000 to continue Arlington street to the hasin was evidently submitted hastily and without thorough consideration. At first glance the idea is alluring. But in studying the matter more carefully you will find that there are serious objections, financial, practical and artistic.

I trust I am not taking up too much of your time in going into this more fully.

The finnacial ohjection is that the sum named is entirely inadequate and the city would later be involved in much greater expenditures to complete a job of douhtful value. If you will examine the inclosed sketch on which the assessed values of the various properties are marked, you will readily see this. The sum of $175,000 is not nearly enough to get anything hut a tortuous makeshift connection.

There is no practical reason for the proposed cut unless the roadway along the emhankment, which is now a parkway for pleasure vehicles only, is opened to heavy traffic. This would work much harm to the emhankment as a pleasure resort. For the lighter forms of traffic Otter street is sufficient. It seems a needless waste of money to parallel it so closely by another street; and Beacon street, in wintry weather, is hleak enough as it is without added openings along its north side.

From a purely artistic standpoint the continuation of Arlington street to the basin has little to recommend it. Unless a vast amount of property is condemned it would make the northerly vista of Arlington street a squalid row of stahles instead of a handsome line of residences. At its hest the new street would he hut a patched over short cut, not the magnificent gateway to the basin many imagine. When the basin itself is made more attractive, people will flock there readily enough.

There are so many vital improvements to be made in Boston that it seems a pity to waste the city's limited resources on this costly scheme of doubtful henefit. The spirit which urges it is fine, hut in the case of this so-called improvement it seems misdirected.

Yours sincerely,
ROBERT P. BELLOWS.

Coun. SMITH—Mr. President, this improvement has been termed artistic throughout the dehate. I make no attempt to change that name. Let it go as an artistic improvement alone. I have not undertaken to dehate the merits of the question, hut simply the question of how much it is going to cost and whether the cost is warranted. We don't know how much it will cost until we find out if we can sell those two small streets. For that reason I am going to vote "yes," and for that reason alone, on the question of passing the order. It is not on the question whether this is an artistic or a useful improvement. My position is simply that we don't know the full facts as to what it will cost.

The order failed of passage, yeas 3, nays 5.

Yeas—Coun. Buckley, Curley, Smith—3.

Nays—Coun. Attridge, Ballantyne, Collins, Kenny, McDonald—5.

THE NEXT MEETING.

Coun. KENNY—Mr. President, I move that when we adjourn this evening it be to meet on Monday next at four o'clock. The meeting on Monday next will he a short one, and I think there can he no objection to that.

Coun. BUCKLEY—Mr. President, we have a regular hour for meeting and it seems to me we should not change that hour. I am willing to accommodate memhers of the Council all I can, but I notice that they are never willing to accommodate me. Therefore I hope we will meet at our regular time and not at four o'clock.

Coun. KENNY—Mr. President, I made the suggestion for the benefit of the entire Council. I suppose the gentleman desires to give some time to his own matters, and I thought it would he better for us all to meet at four o'clock. If we can come here at four o'clock and have a short meeting we will save practically half a day and it will he a henefit to all of us. It is not easy for some of the memhers to get to City Hall at three o'clock. I think it is a queer attitude for the gentleman from Charlestown to take. It shows a little feeling, which apparently he has not got over yet. I regret that any memher should take the floor and assume that position. I think the fact that a member should do so is, to say the least, a proper suhject for criticism. I shall insist on my motion that we meet at four o'clock and desire to have it put to a vote.

Coun. CURLEY—Mr. President, I would say also that no member has the privilege of an opinion of his own as to the hour to which the Board shall adjourn. He has no right to such an opinion; he is not entitled to it; it is not the privilege of a memher of the Board.

Coun. BUCKLEY—Mr. President, we all have a right——

Coun. KENNY—Mr. President, I move the previous question.

Coun. BUCKLEY—Mr. President, I have not yielded the floor, and I did not interrupt the gentleman from South Boston.

Chairman BALLANTYNE—Coun. Buckley will proceed.

Coun. BUCKLEY—Mr. President, I do not helieve in changing the regular meeting hour of the Board. It seems to me that we ought to meet at three o'clock, and I hope we will not vote to change the hour, hecause we want to get through early, particularly at this time of the year when the evenings are short. We would like to have a little time to ourselves. If we don't get here until four o'clock, judging hy the flood of oratory we have

had this afternoon, we will not get through until one o'clock the next morning, and we ought to be able to get through by midnight anyway if we come here at three. So I hope Mr. Kenny's motion will not prevail.

Coun. Kenny's motion was declared lost.

Coun. KENNY—Mr. President, I ask for a verification of the vote hy roll call.

Coun. CURLEY—I rise to a point of order.

Chairman BALLANTYNE—The Chair will entertain no motion or point or order until the doubt has been solved.

Coun. Kenny's motion, that when the Board adjourns it he to meet on Monday, Septemher 18, at four o'clock p. m., was declared lost, yeas 1, nays 7, Coun. Kenny voting yea.

ACCEPTANCE OF CHAPTER 738, ACTS OF 1911.

Coun. CURLEY offered the following:

Whereas, Thc City Council upon August 22, 1911, passed an order accepting chapter 738 of the Acts of 1911;

And whereas, the City Council is of the opinion that the acceptance of this act was just and meritorious;

Be it resolved, That in the opinion of the City Council the Fire Commissioner should approve the same.

Coun. CURLEY—Mr. President, this resolution relates to the case of a young man named Carney, a memher of the Fire Department, and it is just one other example of the lack of executive ahility so destructive of discipline in a well-organized fire fighting force that is heing displayed every day hy the present incumbent of the office of Fire Commissioner. I sent for the young man yesterday and also consulted physicians in regard to his physical condition, and was informed that at best he could not live more than two months. He made the following statement:

"I entered the Boston Fire Department Novemher 26, 1909, as a memher of Ladder Company 10, and on the evening of Decemher 21 I responded to an alarm from Box 522 at ahout 8.30 p. m. for a fire in a house on Forbes street, Jamaica Plain. I received a wetting at this fire which wet me completely to the skin. I was detailed at same fire hy Lieutenant Flanagan of Ladder 10 to remain at this fire in my wet clothes until 12.30 a. m. next morning. I then returned to the Fire House and I noticed a slight cough. This cough gradually got worse despite treatment until January 14, 1910, when I was relieved of duty hy the chief. I was treated and my sickness was hronchial-pneumonia. I returned to duty ahout the middle of Fehruary and was ohliged to quit work again in four days on account of a relapse. I then returned to duty ahout March 5, 1910, and was told to report for drill school the last of March, 1910. I reported at drill school and attended ahout thirteen days, when I ohtained a leave of absence on advice of the drill master. This leave of ahsence commenced April 26 and continued until June 9, 1910, without pay. I reported hack June 9, and continued to work until June 26, 1910, when I was ordered off duty hy Dr. Sprague, the department doctor. I reported to Dr. Sprague many times and wanted to return to work, hut was told I hetter stay off a little while longer each time. Ahout the end of Fehruary Commissioner Daly sent for me and told me he was going to discharge me on account of tuherculosis. I told him that Dr. Sprague passed me O. K. and I filed a statement of my first sickness, and he told me that as I had tuherculosis I could not stay in the department. He also said it was too had, hut he could not do anything to help me. He sent me a letter from the Fire Department stating on March 1, 1911, I would he dropped from the department on account of my physical disahility, signed hy Mr. Underhill, his secretary."

Now, Mr. President,——

Coun. KENNY—Mr. President, I rise to a point of order.

Coun. CURLEY—Mr. President, I have not yielded the floor.

Coun. KENNY—Mr. President, I rise to a point of order, and I have a right to hreak in, interfere and interrupt the speaker to raise the point of order I now make. I am very much surprised that the memher of Congress, my plural friend from Ward 17, does not understand that. My point of order is that this matter has already heen adjudicated on hy the Council, that they have acted under the statute, and that it is not open for revision at this time under this resolution.

Chairman BALLANTYNE—I think the resolution is perfectly in order. It is simply a question of the opinion of the Council.

Coun. CURLEY—Mr. President, in the opinion of any intelligent person I should say it was. Rule 28 of the Civil Service Rules provides as follows:

"Every original appointment and employment for permanent service in the first division shall be for the provisionary period of six months——

Coun. KENNY—Mr. President, I will ask if the memher is not attempting under cover to make an attack on the integrity of the Fire Commissioner, and if that is not his intention in rising.

Coun. CURLEY—Mr. President, I have not yielded to anyhody.

"Every original appointment and employment for permanent service in the first division shall he for the probationary period of six months; at the end of which time the probationer shall he regarded as holding office or employment under the Civil Service Law and Rules, unless the appointing officer at or hefore the expiration of said period discharges the person appointed and notifies the commission to that effect."

In other words, Rule 28 of the Civil Service Rules provides that it is within the right of the Fire Commissioner to discharge a man during the probationary period. The discharge, which was in writing and which was mailed to this man by the Fire Commissioner, was mailed on March 1, 1911, the man entering the department November 26, 1909. That is, one year and nearly four months after he entered the department he was notified that he was discharged. As I have stated before, I have no desire to take up the time of this Council at great length. This is simply another instance of the incapacity of the Fire Commissioner. The ruling of the Fire Commissioner that men who are permanently physically disabled in consequence of injuries received at a fire should not receive a two-thirds pension—which was allowed under the hest Fire Commissioner Boston ever had, Fire Commissioner Russell—is doing more to undermine the efficiency of the department than can be done by any other method. We have heard no great outcry about the need of additional fire protection under previous Fire Commissioners. In fact, the Finance Commission agreed with the verdict given hy Fire Commissioner Parker with relation to the condition of the Fire Department no later than three years ago, and while Fire Commissioner Parker was in no sense the efficient man that Fire Commissioner Russell was as Fire Commissioner of Boston, still he protected the lives and property of the people of Boston. But in this case you have a man at the head of the department who has not the intelligence to act with proper discretion in the discharge of these important matters in the department, a little hreeches martinet, whose executive experience consisted in acting as clerk at $18 a week for some hrokerage house. The Fire Commissionership is a position that requires a big, ahle, competent man, and I helieve the sooner the public of Boston realize the condition of that department—and it is not hearsay, it is a matter of common knowledge and general gossip among the officers and men of the department that what we need in Boston more than additional firemen is a competent Fire Commissioner—the hetter.

Coun. KENNY—Mr. President, it is nothing new for us to sit here and hear the reputations and characters of men traduced by the member. I have heen a memher of this Council more than a year and I can recall several occasions when my friend from Ward 17 has risen here and taken advantage of his position as a member of the Council for the purpose of slandering men and their reputations. I helieve that Fire Commissioner Daly has earned the indorsement and respect of every man, woman and child in Boston. I think he has proven himself to he a competent and valuahle official. I think he has reflected credit on the city and has done his work faithfully, conscientiously and well. I think he has not suhmitted to the importunities of some people, and I think his force of character and the fact that he has stood up and discharged his duty conscientiously is one reason why he has heen assailed here. I, for one, wish to object to that sort of thing.

Coun. CURLEY—Mr. President, I wish to correct the gentleman. I have never been to Mr. Daly's office in my life to ask for any favor.

Coun. KENNY—Mr. President, I did not accuse the member from Ward 17 with having been to Mr. Daly's office.

Coun. CURLEY—Mr. President, I want to say that he did accuse the gentleman from Ward 17 of being refused favors by Mr. Daly, and I will not allow you to lie out of it. You have done it before.

Coun. KENNY—Mr. President, I again accuse the gentleman from Ward 17 of having taken advantage of his position as a member of this Board to slander the reputation of honest men. I can accuse him of that, and I do it; and he is doing that this afternoon. He may not have been to Mr. Daly. I did not say he had been. But I repeat that Mr. Daly has not been subservient to interests that have wanted to control the department and destroy its discipline. He has been a conscientious official, who has had the manhood to stand up and tell the people of Boston the truth in regard to the department and who has had the courage to manage it ably and well. He has done his duty to the people and to the city, and he is now assailed by the gentleman from Ward 17. Mr. President, I move the indefinite postponement of that resolution.

The resolution was indefinitely postponed, yeas 5, nays 3.

Yeas—Coun. Ballantyne, Collins, Kenny, Smith, Attridge—5.

Nays—Coun. Buckley, Curley, McDonald—3.

NORFOLK STREET WIDENING.

President COLLINS offered an order—That his Honor the Mayor be requested to consider the advisability of at once recommending to the City Council an order for the transfer of $150,000 from the Reserve Fund to an appropriation for the widening of Norfolk street, Dorchester.

Coun. COLLINS—Mr. President, when I first came to the city government, a year ago last January, my associate, Mr. Brand, representing the same part of Boston that I do, was very strong on this proposition. A year before that, and years before that as I have already stated, attempts were made to secure this appropriation. When I came to the city government I investigated the matter. Mr. Emerson was then Superintendent of Streets. He told me it was absolutely necessary. So did Deputy Superintendent Sullivan, who was his assistant and had charge of the highways at the time. He considered it a very necessary improvement. I understand that all bodies that have investigated the proposition, including the Finance Commission, say that the street ought to be widened. As I have already stated, it failed by one vote two years ago. This order contemplates an expenditure of $150,000 for the widening of Norfolk street, and I hope his Honor the Mayor will see his way clear to sending to us an appropriation order covering it, since we now have $800,000 in the Reserve Fund. I ask, Mr. President, that the order be passed.

Coun. SMITH—Mr. President, I am heartily in sympathy with this. We have already passed an order this afternoon asking the Mayor to send to us an appropriation of $100,000, from the Reserve Fund. It strikes me that it would be a duplication to pass two resolutions in one afternoon, showing that we are a little bit intense on the subject, although I don't think that can be doubted after the expression of opinion by almost every member of the Board. If the Board desires to pass a second resolution the same afternoon on the same subject, personally I shall be very glad to vote for it. But the afternoon is getting late and I don't think we care to duplicate work.

Coun. COLLINS—Mr. President, I don't think this is a duplicating of work. This is for $150,000 for the widening from Codman street to Dorr's Bridge. There is no duplication.

The order was passed.

FANEUIL STREET WIDENING.

President COLLINS offered an order—That his Honor the Mayor be requested to recommend to the City Council a transfer from the Reserve Fund of a sum of $50,000, said amount to be used for the widening of Faneuil street, Ward 25.

Coun. COLLINS—Mr. President, the widening of Faneuil street is a thing that has been agitated for years by residents of Brighton. I heard Street Commissioner Gallivan say that when he was first elected Street Commissioner, years ago, they were demanding it, and they have been demanding it ever since. Therefore, considering it a meritorious improvement, I offer the order.

The order was passed.

LAYING OUT OF HOLIDAY STREET.

Coun. ATTRIDGE offered an order—That the Board of Street Commissioners be requested to lay out and maintain as a public way Holiday street, from Geneva avenue to Bowdoin street, Dorchester.

Passed.

BAND CONCERT, WARD 9.

Coun. ATTRIDGE offered an order—That the Music Commission be requested to furnish a band concert at Harrison avenue and Gloucester place on the evening of October 11.

Passed.

ACCEPTANCE OF RETIREMENT ACT.

Coun. CURLEY offered an order—That chapter 413 of the Massachusetts Legislature for 1911, entitled "An Act Relative to a Retirement Fund for Laborers employed by the City of Boston," be, and hereby is, accepted by the City Council of Boston.

Coun. CURLEY—Mr. President, I don't feel that there is any debate necessary on this question. Therefore I simply ask that when the vote is taken it be by roll call.

Coun. ATTRIDGE—Mr. President, I desire to know what is the text of the act that the order has reference to?

Coun. CURLEY—Mr. President, it provides for the retirement of veterans or persons employed by the city twenty-five years who have arrived at the age of sixty or seventy years.

Coun. ATTRIDGE—Mr. President, if this is the act in reference to the pensioning of laborers of the City of Boston I desire to say that I favor and have favored the acceptance of that act by the City Council. In fact, I introduced an order to that effect. Shortly after I introduced that order and it was referred to the executive committee I also, in justice to the members of this Council, introduced two other orders, one asking the Finance Commission, which is a part of our city government, to report to us as to the operation of the act. I also introduced an order, which was passed by this Council, that his Honor the Mayor inform the Council through his heads of departments as to the operation of the act, as to the number of men who might be affected by the act. I also introduced another order, from which I have heard nothing, calling upon the Corporation Counsel to submit an opinion in regard to the designation "laborer." Nothing has been heard by this Council from the Corporation Counsel, from the Mayor or his heads of departments, or from the Finance Commission. I was very much interested in this act and I am to-day. I appeared before the Legislative Committee at the suggestion of my friend on this side of the Chamber, the gentleman from Ward 17, and advocated the passage of an act for the pensioning of aged and infirm city laborers. I have somewhat chafed at the delay of the Corporation Counsel, the Finance Commission, the Mayor and his heads of departments, because of the fact that we have heard no word from them. This morning I called at the office of the Finance Commission, and asked Mr. Sullivan when the report would be ready for the City Council, and he gave me to understand that a report would be ready within at least two weeks. He said that the commission was busy and had been exceedingly busy upon other important work. This afternoon I introduced an order calling upon his Honor the Mayor to submit to this Council for its information what information he had received from his heads of departments in regard to the operation of this act, for I believe he sent a circular letter to the heads of the various departments asking them for information in regard to its operation. I stand to-day, as I did some months ago, in favor of the acceptance of this act for the pen-

sioning of aged and infirm day laborers of the City of Boston, but I think that it would be better policy for this Council to at least wait until it has received some word from the heads of departments. the Corporation Counsel and the Finance Commission. I cannot believe that any great harm will he done to the case of the day laborers hy reason of a wait of two or even three weeks. I think that we have plenty of time this year in which to accept this act. As I say, I stand ready to vote in favor of the acceptance of the act, hut I helieve, in view of all the facts, that this Council should wait. To-day, as I stated previously, I inquired of the chairman of the Finance Commission, and by an order of this Council inquired of his Honor the Mayor for information in reference to this particular act. I trust that the gentleman on this side of the Chamher will not attempt to force the acceptance of this act through to-day, in justice to all the memhers of the Council—I don't say in justice particularly to myself, for my views are well known and are recorded in the minutes of the City Council. I appeared also hefore the Legislative Committee and advocated this very act, and it was at the suggestion of the gentleman on this side of the Chamher that I appeared hefore the Legislative Committee, hecause I thought it was a worthy piece of legislation. I thought it was a worthy act, and I helieved it was hut justice to the laborers that the city should provide for them in their old age. But I think it is a little indiscreet on the part of the gentleman on this side of the Chamber to try to force this act through to-day, and I trust that he will not do so.

Coun. KENNY—Mr. President, this is rather a singular act on the part of my friend from Ward 17. This afternoon—I am going to tell the story as it has not heen brought out yet—this matter was all thrashed out in the Executive Committee. We all, or most of us, I think, stated that we expected when the time came to assent to this legislation. I am not pinning any medals, leather or otherwise, on myself, hut I think I was the one who advocated this legislation in the first instance. But, he that as it may, I do not propose to be shooed into voting for this this afternoon hecause the gentleman gets up here at the eleventh hour and tries to force us to go on record. I propose when the time comes—unless I change my mind, and I always shall reserve the right to change my mind—to vote to accept the act, unless something unforeseen comes up. But I do not propose to he chased into doing it hy the gentleman from Ward 17. This afternoon we voted—and there were eight of us in there—to let this matter stand over for two weeks, ohtaining in the meantime from the Mayor such evidence and such literature as he had to offer and from the Finance Commission, a hranch of the municipal government, such information as they desire to offer, taking all the papers and coming in here in two weeks and voting on the proposition. We passed that vote in executive session; and now, knowing that this is one of those questions that some people regard as political and feeling that we would not dare at this time to offend anyhody, especially the laboring men, hy voting to reject this proposition or even to postpone it, our friend here brings in an order overruling the action of the Board this afternoon, so that we may be put on record to-night before we go home. I move, Mr. President, that this resolution he assigned to two weeks from to-day.

Coun. CURLEY—Mr. President, I haven't any desire to take up the time of the Board with consideration of the question of assignment. It is perfectly natural and proper for the gentleman to impugn my motives on this proposition. That is what I usually expect and receive from him—what one would naturally expect from a broad gauge man. I want to say in relation to this proposition that it was considered by this City Council in May, about four months ago, referred to the Finance Commission ahout that time, and that it has heen under consideration hy them up to the present time. What their attitude may he on the proposition is immaterial to me; what the attitude of the Mayor may he on the proposition is immaterial to me. At the present time I am in possession of certain information myself. I know that pensions are paid men who have heen in the Police Department a certain numher of years; that pensions are paid men who have been in the fire service a certain numher of years; that this is the first honest and logical attempt that has been made in the history of this city to provide a pension for city lahorers; that the act was put through the Legislature without the assistance of any attorney and without the expenditure of a single dollar of anyhody's money; that the act has heen put through this City Council up to the present stage without the expenditure of a single dollar; that so far as I know it is the first time in the history of pension legislation of a similar character, affecting a large force in the city or state service, that a corruption fund has not heen necessary in connection with it, and that the present status of this pension legislation is due to Representative Brennan of Ward 17 and myself. I want to give due credit to Coun. Attridge and to Coun. Buckley, who appeared in favor of this proposition. I simply desire the same rights and privileges, except in less degree, accorded to lahorers in the city service that is now accorded to men in the fire and police service. What additional information do you need to vote on this proposition? It provides that men who have heen in the city service twenty-five years and who have arrived at the age of sixty may, if they see fit to ask for it, be retired on half pay for the remainder of their lives; that men who have arrived at the age of scventy and who have worked as lahorers may after twenty-five years of service compulsorily be retired on half pay for the remainder of their lives. It was thought that the Board having charge of the retirement might consist of the Mayor, the Auditor and the City Treasurer, serving without pay. It is a plain, simple proposition for an honest, reasonahle and fair retirement of city lahorers. Now, what information do you desire?

President COLLINS in the chair.

Coun. KENNY—Mr. President, does the gentleman ask me a question? I understand that the Mayor desires to suhmit additional facts; I understand that the Finance Commission desires to suhmit additional facts. I say that this hody is entitled, hefore passing on this question, to all the evidence of every kind and nature that every department wishes to suhmit; that in the meantime the matter itself is not in jeopardy. I believe we should wait until we hear from the Mayor and the Finance Commission and that our action in doing so is not due to any adverse position to the Finance Commission, hut rather to a recognition of fair dealings between men when they desire to transact puhlic business.

Coun. CURLEY—Mr. President, I have no desire to criticise what may he termed fair or unfair rulings or dealings. I don't think it is necessary. I simply desire to state that, even if the Finance Commission does make a return of information on this subject, or if the Mayor does so, it does not affect the status of the proposition. It is a legislative enactment. Any change that is to he made or can be made can only he made hy enactment of the Legislature at its next scssion. We have no right to change a legislative enactment and the Council ought to he familiar with that fact. The plain, simple, unvarnished proposition is, Do we wish to extend to the city lahorers the same privilege that is now enjoyed hy the men in the fire and police departments of the city? If we do, I say let us accept the act.

Coun. BALLANTYNE—Mr. President, I wish to say just a word in favor of the motion to assign for two weeks. I don't yield to any memher of the Council in my loyalty to the lahoring men of Boston, and I think I have been as active as most in the hringing about of this pension act. I am as heartily in favor of it to-day as anyone here. But I helieve when this City Council asks the Finance Commission to report on any matter hefore it it should receive some sort of reply. If the Finance Commission has been late in furnishing that reply and a sccond request has had to he made of them, I think we should allow a couple of weeks more to them to furnish that reply. The Mayor has also heen asked to furnish what information he has at hand in regard to the matter. I understand hy the new charter the Mayor is supposed to make replies to any request in regard to any department of the City of Boston, and I hope we will give the Mayor two weeks more to make that reply. If it were a mätter affecting the lahoring man to-morrow this would receive my vote at oncc, hut as I understand it this act does not go into effect until March, so a delay of two weeks will do no harm to any laborers in the employ of the city. So far as I know now, no matter what the report of the Finance Commission may he or that from his Honor the Mayor I shall vote for the adoption of this act,

but I do want these two weeks' delay. That is my only reason for voting against the adoption of the act to-night.

Coun. BUCKLEY—Mr. President, it seems funny that the members of the Council should ask for two weeks' delay on this proposition when a while ago they were unwilling to grant a week or two weeks on Arlington street. It seems to me this matter could be decided here this afternoon. We have been waiting since May to have the act accepted. Mr. Attridge and myself appeared before the legislative committee on this proposition and of course both he and I are in favor of it, and it seems that he ought to be ready and willing to vote here this afternoon. As Coun. Curley says, it is a matter that we only have to accept. After that our duty is done. Last year when the other pension act for the laborers was up, the members of the Council said that that was only a fair pension bill, that they be retired on half pay. All we ask to-day is that the members keep their word of a year ago and vote for this matter. I hope it will not be specially assigned for two weeks, but that the act will be accepted here to-day.

The motion to assign for two weeks was carried by a rising vote, four to two. Coun. CURLEY doubted the vote and asked for the yeas and nays. The matter was assigned for two weeks, yeas 5, nays 2.

Yeas—Coun. Attridge, Ballantyne, Collins, Kenny, Smith—5.

Nays—Coun. Buckley, Curley—2.

GENERAL RECONSIDERATION.

On motion of Coun. BALLANTYNE, the Council refused a general reconsideration of all action taken to-day.

Adjourned, on motion of Coun. BALLANTYNE, at 8.15 p. m., to meet on Monday, September 18, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, September 18, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair. Absent—Coun. Hale.

The Council voted, on motion of Coun. ATTRIDGE, to dispense with the reading of the records of the last meeting.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894, viz.:

Forty-one traverse jurors, Superior Criminal Court, First Session, to appear October 4, 1911:

Frederick W. Kohler, Ward 24; John B. Moran, Ward 10; Frank E. McCabe, Ward 19; David L. Miller, Ward 25; Joseph Smolensky, Ward 6; Frank Bertram, Ward 23; Michael J. Connolly, Ward 22; John J. Murphy, Ward 24; Charles T. Gariboldi, Ward 24; John F. McNamara, Ward 13; John B. Prendergast, Ward 4; Frederic Clerke, Ward 10; Peter Cronin, Ward 22; George W. Stewart, Ward 16; Charles W. Dill, Ward 20; William Fenn Squire, Ward 21; David McLaughlin, Ward 6; Timothy T. O'Connor, Ward 20; Edward A. Scriven, Ward 22; Patrick J. Finlay, Ward 3; Carl T. Anderson, Ward 2; John J. Devin, Ward 17; Oscar G. Ridlon, Ward 21; Roswell F. Forbush, Ward 19; Isaac B. Hersey, Ward 20; Edward C. Reddington, Ward 14; Robert J. Trimble, Ward 1; Charles A. Heath, Ward 8; Charles Herthel, Ward 22; John H. Wilcox, Ward 20; James Heburn, Ward 5; Frank B. Clark, Ward 20; Melvin E. E. Barrett, Ward 12; James H. Lynch, Ward 21; C. Stafford Bradley, Ward 20; John E. Nagle, Ward 1; Cornelius Reilly, Jr., Ward 22; John Rogers, Ward 9; Winston W. Chamberlain, Ward 25; George W. Barron, Ward 25; Clarence E. McIlroy, Ward 11.

Forty-one traverse jurors, Superior Criminal Court, Second Session, to appear October 4, 1911:

John J. Shaughnessy, Ward 25; Thomas E. Spain, Ward 3; Gregory T. Morrill, Ward 24; Ralph B. Hilton, Ward 14; Edward G. Hennesey, Ward 1; Robert Riedel, Ward 20; Fred J. Merkle, Ward 24; George R. Loud, Ward 20; Edward F. Meegan, Ward 17; Bernard J. Doherty, Ward 8; John H. O'Brien, Ward 21; Frederick Joel Johnson, Ward 24; Stephen A. Holmes, Ward 20; Waldo S. Ford, Ward 22; William Berwin, Ward 12; Charles A. Ufford, Ward 24; George A. Wenners, Ward 15; Carl J. Horner, Ward 24; Charles F. Sterling, Ward 24; Patrick Sullivan, Ward 24; Richard Lane, Ward 21; John J. Curley, Ward 22; Charles W. Donavan, Ward 12; Emery G. Plummer, Ward 20; Charles C. Colley, Ward 17; Elliott G. Reid, Ward 9; Frederick B. Lamb, Ward 20; James J. McNamee, Ward 16; William A. Payne, Ward 1; Daniel Hiland, Ward 20; Michael E. Steele, Ward 19; James Montgomery, Ward 23; John S. Barry, Ward 19; Andrew J. Mahoney, Ward 15; Guy C. Holliday, Ward 20; Benjamin H. Davis, Ward 17; Carl G. Muhle, Ward 22; William B. Murray, Ward 23; James H. Lyons, Ward 1; Walter J. Watson, Ward 24; Edward J. Boyle, Ward 11.

Thirty-five traverse jurors, Superior Civil Court, Sixth Session, to appear October 2, 1911:

Frederick M. Forbes, Ward 20; Charles F. Cleaves, Ward 17; George A. Nute, Ward 25; Joseph R. Scott, Ward 22; Robert Stevenson, Ward 20; Frank H. Prentiss, Ward 23; Jens Miller, Ward 22; Joseph Stafford, Ward 23; Jacob Burger, Ward 22; Frank C. Jacobs, Ward 12; John W. Lyons, Ward 2; William H. Lewis, Ward 16; H. Elmer Strout, Ward 22; John J. Johnson, Ward 7; David A. Chapman, Ward 16; Robert M. Robinson, Ward 20; Timothy M. Toomey, Ward 15; William F. Finlayson, Ward 20; Daniel J. Cairnes, Ward 17; Michael J. Delay, Ward 13; Patrick F. Donovan, Ward 20; Patrick J. Horan, Ward 23; Walter H. Ordway, Ward 20; Walter S. Henry, Ward 11; Edward F. Slater, Ward 25; Dennes H. Nettles, Ward 21; Edward F. Galvin, Ward 24; Frank B. Wilde, Ward 25; Thomas B. Lacey, Ward 22; John S. Dowling, Ward 20; Joseph J. Bowers, Ward 16; Thomas L. Scully, Ward 17; Jeremiah J. Donovan, Ward 14; Michael Coughlin, Ward 4; Lloyd A. Frost, Ward 20.

Thirty-five traverse jurors, Superior Civil Court, Seventh Session, October Sitting, to appear October 2:

John Booth, Ward 1; Joseph V. King, Ward 13; John F. Conners, Ward 15; Daniel J. Dillon, Jr., Ward 13; Edward J. Kelley, Ward 22; Lawrence A. Mooar, Ward 11; John E. Hagerty, Ward 19; Charles S. Forrester, Ward 7; John Carroll, Ward 11; Victor Berlin, Ward 8; Leonard A. Wilbur, Ward 20; James H. Farrington, Ward 10; John E. Roche, Ward 5; Melville Prentiss, Ward 17; Manuel Lucius, Ward 1; Michael Furst, Ward 22; James C. Flannery, Ward 12; James F. Henchey, Ward 3; Arthur H. Swann, Ward 8; Albert A. Cosby, Ward 19; Fred B. Tileston, Ward 19; Josiah S. Hathaway, Ward 11; Walter C. Hall, Ward 19; Thomas J. Dacey, Ward 9; Edward E. Groves, Ward 25; Edward Rose, Ward 18; John Harty, Ward 3; Allan J. McKinnon, Ward 21; Irving G. Findlay, Ward 25; James J. Kennedy, Ward 12; Stephen A. McConnell, Ward 21; George McGuire, Ward 7; Jonas R. Laws, Ward 17; Lorenzo A. Bailey, Ward 15; Frank R. Parker, Ward 10.

Thirty-five traverse jurors, Superior Civil Court, Eighth Session, to appear October 2, 1911:

Jeremiah E. Sullivan, Ward 11; Joseph H. Pendergast, Ward 2; Robert Moore, Ward 25; Patrick Ford, Ward 24; James Ayers, Ward 11; William F. McCarthy, Ward 13; William B. Hawkins, Ward 10; K. Gustav Dittmar, Ward 23; David A. Barr, Ward 14; Robert S. Hale, Ward 11; George H. Slaman, Ward 22; Otto F. Walter, Ward 2; Frederick A. Goodwin, Ward 24; Christian F. W. Hanson, Ward 21; Alfred A. Willoughby, Ward 12; Denis J. Henchon, Ward 4; Charles A. Janssens, Ward 13; Coleman F. Martin, Ward 13; James A. Doherty, Ward 24; James A. Garber, Ward 17; George E. Kinsman, Ward 16; George H. Moulton, Ward 20; J. Edward Norton, Ward 21; Jeremiah Fitzgerald, Ward 24; Edward J. Pierce, Ward 25; Lewis N. Poland, Ward 21; Almarin Trowbridge, Ward 20; James L. Bryne, Ward 20; James E. Crotty, Ward 1; William F. Harris, Ward 24; Abram T. Marsters, Ward 20; William H. Hippler, Ward 23; Rufus W. Page, Ward 11; Michael J. McLaughlin, Ward 3; Richard J. Dooley, Ward 13.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, September 18, 1911.

To the City Council:

Subject to confirmation by your honorable body, I hereby make the following appointments, all for the term ending April 30, 1912.

(1) John Connors (161 Medford street, Ward 3) and Thomas Hughes (225 Cypress street, Brookline), to be Weighers of Coal; Charles I. Albee (109 Trenton street, Ward 1), George H. Battis (112 White street, Ward 1), James Buckley (408 Saratoga street, Ward 1), Pearl L. Slocomb (70 Cottage avenue, Winthrop) and Maud P. Flinn (473 High street, West Medford), to be Weighers of Coal and Measurers of Wood and Bark; S. Everett Giles (37 Howard street, Melrose), to be an Inspector of Pressed or Bundled Hay and Straw and a Measurer of Grain.

(2) Henry W. Cowles (75 Waverly street, Ward 21) and Dominic Dineen (64 Calumet street, Ward 19), Constables of the City of Boston.

Severally laid over under the law.

PURCHASE OF STANDPIPE PROPERTY.

The following was received:

City of Boston,
Office of the Mayor, September 15, 1911.

To the City Council:

I beg to transmit for the consideration of your honorable body the accompanying letter from Mr. George F. Wentworth, who recommends that the city purchase the Helping Hand Home property

Labor Temple TRADES UNION LABOR COUNCIL BOSTON MASS.

at the corner of Beech Glen street and Fort avenue, adjoining Highland Park. Mr. Wentworth believes that the addition to the park is a desirable one and that the property can be obtained on specially favorable terms at the present time.

Yours very truly,
JOHN F. FITZGERALD, Mayor.

George F. Wentworth,
Real Estate, Insurance, Auctioneer,
18 Tremont Street,
August 21, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Now that you are at home I trust that you can see your way clear to look into the matter of purchasing the Helping Hand Home property on corner of Beech Glen street and Fort avenue, adjoining Highland Park, otherwise known as the "Standpipe." The owners are a little anxious to get rid of same and a good trade can be made before anyone else could get it. I have been expecting to hear from you or whoever has charge in the matter. Others have been looking it over but now is the chance for the city if ever.

Yours truly,
GEORGE F. WENTWORTH.

Referred to the Committee on Public Lands.

PLAYGROUND, ROXBURY CROSSING.

The following was received:

City of Boston,
Office of the Mayor, September 18, 1911.

To the City Council:

In my message of April 3, addressed to your honorable body, I expressed the opinion that a second playground should be provided in the district about Roxbury Crossing in addition to the one for which an appropriation had already been made, and stated that I should be in favor of the expenditure of any reasonable sum which would be required for this purpose. On June 26 I recommended an additional appropriation of forty thousand dollars ($40,000). The order was referred to the Committee on Finance, which still has it under consideration. In the meantime a third communication was addressed to your honorable body, accompanied by an order providing for a change of title in the original order appropriating sixty thousand dollars ($60,000) for a playground in Parker Hill, so that in case the second appropriation order were passed the two amounts might be merged for a playground or playgrounds in Ward 19. This change of title met with the approval of the City Council and the order effecting it was passed at your meeting of September 11. Recently, under date of September 15, I received a letter from the chairman pro tem of the Board of Park Commissioners, stating that the sixty thousand dollars ($60,000) is "too small a sum to buy a real playground such as the people demand in that closely settled district," and expressing once more the opinion that a larger appropriation would be needed.

As the passage of the order changing the title of the original appropriation would seem to imply the acceptance of this view by the City Council I would once more urge upon your honorable body the need of immediate action so that steps may be taken to begin the work and end the long and vexatious delay connected with this improvement.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Referred to the Committee on Finance.

MEMORIAL TO GEORGE T. ANGELL.

The following was received:

City of Boston,
Office of the Mayor, September 18, 1911.

To the City Council:

In transmitting the accompanying letter from the president of the Massachusetts Society for the Prevention of Cruelty to Animals I desire to express my complete acquiescence with his view that an appropriation of two thousand dollars ($2,000) for the erection of a fountain to the late George T. Angell would be an appropriate recognition of his services by the community in which he lived.

Mr. Angell's place in the city was a unique one. Born in moderate circumstances he worked his way through Dartmouth College and took up the profession of law in Boston. After practising twenty-three years he had acquired a small fortune and devoted himself for the remainder of his life to the cause with which his name is associated. His publication "Our Dumb Animals" has been the means of not only alleviating the lot of the domesticated animals and disseminating a love for the living creatures who are our fellow denizens upon earth, but also of promoting, especially among children, a more gentle habit of mind and the refinement that goes with the cultivation of this virtue. Strangers have often noticed the tameness of the squirrels and pigeons on the Common, and have accepted it as an indication of the humane spirit of the people of Boston. No small share of the improvement in this respect is due to the labors of Mr. Angell, and the fountain which it is proposed to erect in Post Office square, partly from the contributions of the public school children and partly from an appropriation of the public money, would be a well-deserved tribute to his memory.

As Doctor Rowley notes in his letter, the poles of the Edison Electric Light Company and the Boston Elevated Railway Company can be combined in one pillar rising from the middle of the fountain, and the result will be a decorative focus or center in the square where now the view is greeted by a collection of unrelated though useful objects. Such a public improvement is well worth the slight expense involved, and I recommend the passage of the order which I have drafted, transferring the sum of two thousand dollars ($2,000) from the Reserve Fund to a special appropriation for a memorial fountain in Post Office square, to be expended under the direction of the Commissioner of Public Works with the approval of the Art Commission.

Respectfully,
JOHN F. FITZGERALD, Mayor.

The Massachusetts Society for the
Prevention of Cruelty to Animals,
Boston, August 17, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

My dear Mr. Mayor,— Let me state as briefly as I can, in accordance with your very kind suggestion made aboard the steamer, what the fountain situation is:

Some years ago the children of the public schools raised $647.77 for an Angell memorial fountain. There has been given for a similar purpose $864.12 which could be added to it, making a total of $1,511.89.

Our hope has been that this Angell memorial fountain might be erected in the busy Post Office square where hundreds of horses are watered every day and where now there is an old and inadequate one. We find after long interviews with the Edison Electric Light Company and the Boston Elevated Railway and an architect, that a beautiful fountain satisfactory to these two corporations, whose wire attachments must be taken into consideration, will cost from $3,000 to $3,500 complete. Do you think it possible that the City of Boston, for whom Mr. Angell really did so much, could be induced to appropriate say $2,000 toward the erection of this fountain. It seems to me that our citizens would very gladly see such an appropriation made, if there are any funds that could be used for this purpose.

With reference to other locations. After a conversation with our agents, they tell me that on Columbus avenue, near the old Providence depot, there is an antique stone trough which should be replaced by a modern sanitary fountain; also that the old stone trough at the corner of Beacon and Charles streets should be changed for a proper, modern fountain; that there should be one on Charles street near the Jail; and that the one watering station in Boston where we at present are watering the most horses is on Congress street near Farnsworth street. They say that a fountain is greatly needed there.

I cannot tell you how deeply I appreciate your interest in our work and how grateful I am for what you have already done for us.

Most devoutly hoping that you will be able to do what I know is in your heart in the way of securing the money of which we were speaking, believe me, with very kind regards,

Sincerely yours,
FRANCIS H. ROWLEY,
President.

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of two thousand dollars ($2,000) from the appropriation for Reserve Fund to an appropriation to be expended under the direction of the Commissioner of Public Works with the approval of the Art Commission for a memorial fountain in Post Office square.

Referred to the Executive Committee.

WIDENING OF PROVIDENCE STREET.

The following was received:

City of Boston,
Office of the Mayor, September 15, 1911.

To the City Council:

At its meeting of July 1 your honorable body passed an order authorizing me to release the conditions, easements and restrictions now in force upon certain lots on Boylston and Providence streets which were specified in the order. This transaction was a part of the movement for the development of the Park square property, and the plans of this development, as you have been made aware, involve the widening of Providence street to a width of one hundred feet and the elevation of the grade from a point near Park square in the direction of Berkeley street. The accompanying letter from the secretary of the Board of Street Commissioners expresses the opinion that this elevation is desirable and estimates the cost of the change of grade under the present width of Providence street as about twenty-five thousand dollars ($25,000).

I recommend that the accompanying loan order, appropriating twenty-five thousand dollars ($25,000) for this purpose, be passed and trust that the City Council will not delay action upon a matter which has already been the subject of several postponements.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Street Laying-Out Department,
September 15, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—The Board of Street Commissioners understands that practically all of the abutting property owners on Providence street have signed releases exempting the city from liability for damages that may be caused by the proposed change of grade of the street. As you know, the plans for the development of the Park square land, which was formerly occupied by the Boston & Providence Railroad, call for the widening of Providence street by the addition to it of 60 feet from the railroad land, making it a 100-foot street from Columbus avenue to the proposed Arlington street extension.

It is the intention of the present owners of the Park square land to release to the city this addition of 60 feet, providing that the city will revise the grade of Providence street and construct the same to meet the grade which they have established and which has been approved by the proper municipal authorities as the correct grade for the street.

The proposition is a fair and equitable one, but before the city can do anything to help in the development of the Park square land a special appropriation for the work of construction will be necessary.

The changing of the grade of Providence street will necessitate also a change in the grade of Church street, between Providence street and Boylston street.

To construct both Providence street and Church street at the grade proposed will involve an expenditure of about $25,000, and the Board begs to suggest that a loan for this amount be authorized.

Very truly yours,
J. J. O'CALLAGHAN,
Secretary.

—

Ordered, That under the provisions of chapter 393 of the Acts of 1906 the sum of twenty-five thousand dollars ($25,000) additional be and hereby is appropriated for Highways, Making of, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificate of indebtedness of the city to said amount.

Referred to the Committee on Finance.

BATH HOUSE, FORT POINT CHANNEL.

The following was received:

City of Boston,
Office of the Mayor, September 15, 1911.

To the City Council:

The accompanying communication from Mr. J. E. Coyle, secretary of the United Improvement Council of Dorchester, offers a suggestion which seems to me to possess considerable merit. A bath house in the vicinity of the South Station would undoubtedly be used by the large working population of that district and would be as well patronized, at least during the day, as the floating bath houses in other sections. A statement from the secretary of the Bath Trustees, which is appended hereto, estimates the cost of a floating bath house as approximately six thousand dollars ($6,000), and I recommend the passage of the accompanying order which transfers this amount from the Reserve Fund to a special appropriation for a bath house in Fort Point channel.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

United Improvement Council of Dorchester,
Dorchester, August 16, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Will you please give a little of your valuable time to the inspection of the water front in the rear of the South Station, with the idea of placing a bath house there?

We have had a very hot summer up to the present time and all bathing facilities have been taxed to their full capacity. The North End of the city has one at Charlestown and another at Chelsea Bridge, while the South End has none.

Many men would greatly appreciate a chance for a bath during their noon hours. Many coming in on the railroads, especially employees, would be glad of a chance to bathe. Many clerks and workers in nearby buildings would more than appreciate it.

They would be for men only except at certain hours when boys might use them, but only boys who are employed or had to work for a living.

Yours truly,
J. E. COYLE, Secretary.

—

City of Boston,
Bath Department,
September 1, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

My dear Sir,—In reply to a communication transmitted to this office from J. E. Coyle, secretary of the United Improvement Council of Dorchester, as to the advisability of locating a floating bath house in the neighborhood of the South Station, I beg to report that I have investigated the matter, and find that there are several locations in which a bath house could be placed if money were appropriated to construct the same. All the floating bath houses of the Bath Department are now located at fixed sites, and we have no extra one to meet this demand.

The house could be located at the Summer Street Extension Bridge, on either side of the bridge, or at the Congress Street Bridge, close to Jordan Marsh storehouse.

The cost of building a floating bath house is approximately $6,000, and if you desire to ask a special appropriation for this matter we should be pleased to start in upon the construction of it as soon as possible in the fall in order that it could be ready for next spring.

Very truly yours,
HUGH C. MCGRATH,
Secretary Bath Trustees.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of six thousand dollars ($6,000) from the appropriation for Reserve Fund to an appropriation, to be expended under the direction of the Bath Trustees, for a Floating Bath House, Fort Point Channel.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Elizabeth Enos, for compensation for damage for fence 1202 Melville avenue by employees of the city.

Kathryn Mills, to be paid for damage to clothing splashed by mud and oil by a city team.

Sarah Snyder, to be paid for injuries caused by being bitten by a horse attached to a city wagon.

John W. Ryan, for compensation for damages at 37 Jenkins street by construction of Old Colony avenue.

Toders Solomont, for compensation for injuries caused by a city ash team.

Executive.

Petitions for sidewalks were received as follows:

(Brick With Granite Edgestone.)

Louis Perlmuter, 326–328 Bremen street, Ward 1.

(Artificial Stone With Granite Edgestone.)

John L. Stervi, 962 Saratoga street, Ward 1.
Charles Bonano, 958 Saratoga street, Ward 1.
Edward J. Ball, 220–222 West Newton street, Ward 10.
Morris Bornstein, 27 Astor street, Ward 10.
Robert T. Paine, 2d, 264 Beacon street, Ward 11.
Robert J. Edwards, 266 Beacon street, Ward 11.
E. N. Foss, 650 Beacon street, Ward 11.
George W. Penniman, 146–148 Cambridge street, Ward 11.
J. J. Powers, 1070 Boylston street, Ward 10.
Rev. John T. Mullen, 98–102 Quincy street, Ward 16.
John Flatley, 26–30 Crescent avenue, Ward 16.
A. Webster, 35, 37, 41 Bellevue street, Ward 19.
Maria Cummins, 80 Hancock street, Ward 20.
M. T. Carroll, 45 Pleasant street, Ward 20.
Fred J. Corbett, 22–24 East street, Ward 20.
William Duff, 149–153 Pleasant street, Ward 20.
Hatchik Krikonian, 15 Pleasant street, Ward 20.
A. R. Gilliland, 975 Dorchester avenue, Ward 20.
D. F. & W. S. Litchfield, 3089–3099 Washington street, Ward 21.
Arthur Lewenberg, 23–29 Calder street and 24–26 Canterbury street, Ward 23.
Mrs. E. M. Fales, 44–46 Torrey street, Ward 24.
Berean Temple Baptist Church, Lauriat avenue, Ward 24.
E. M. Mowatt, 40 Edson street, Ward 24.
Edwin S. Fields, 502–512 River street, Ward 24.
John W. Douse, 108–112 Train street, Ward 24.
H. C. Towle, 110 Alban street, Ward 24.
William F. Watson, 43A Carruth street, Ward 24.
George E. Perrin, Lanark road, Ward 25.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses to eight newsboys and two vendors—recommending that licenses be granted.

Reports severally accepted; licenses granted on the usual conditions.

PROTEST AGAINST SALE OF LAND, BRIGHTON.

The following was received:

Boston, September 18, 1911.

To the City Clerk of the City of Boston:

My dear Sir—As the owner of a piece of property on Chestnut Hill avenue, Brighton, directly across the street from that parcel of land now owned by the city, and which I understand is to be sold, I hereby desire to enter my protest against the sale of said property, and I should be pleased to be notified of any matters which may come before the Mayor or City Council in regard to the sale thereof.

Yours very truly,
HERBERT A. WILSON,
Trustee under the will of George A. Wilson.
6 Beacon Street, Room 1019.

Coun. SMITH—Mr. President, I think this would be an opportune time to call up No. 3, if that meets with the President's approval. I would like to ask to have it recommitted to the Committee on Public Lands.

President COLLINS—With unanimous consent No. 3 will be taken from the table.

No. 3 was as follows:

3. Ordered, That the Board of Park Commissioners be and hereby is authorized to sell, on such terms as said Board, with the approval of the Mayor, may deem proper, a parcel of land in the Brighton district, so called, bounded southerly by Commonwealth avenue and northeasterly by Chestnut Hill avenue, and containing as shown on the atlas about 66,672 square feet, said land to be sold at public auction for not less than 75 cents per square foot per lot.

On July 17 the foregoing order was read once and passed, yeas 7, nays 0.

No. 3 was recommitted to Committee on Public Lands.

The communication from Herbert A. Wilson was also referred to the Committee on Public Lands.

Coun. SMITH—Mr. President, I want to introduce in this connection protests signed by thirty-one, or approximately thirty-one, residents of that neighborhood in connection with that matter.

(Coun. SMITH here introduced a protest of the residents referred to against sale of the lot on Commonwealth avenue, corner of Chestnut Hill avenue, Ward 25.)

The protest was referred to the Committee on Public Lands.

Coun. SMITH moved a reconsideration of reference of the above papers to the Committee on Public Lands, trusting that it would not prevail. Lost.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted by the Secretary of the Commonwealth were received.

Placed on file.

STORAGE OF OIL.

Communications were received from the following-named parties certifying that the hereinafter named locations were used for the keeping of oils, and of intention to continue use of same for the ensuing year, viz.:

W. Bowman Cutter, 2306–08 Washington street, Ward 18.
W. Bowman Cutter, 1855 Dorchester avenue, Ward 24.
Peter C. Werner, Boston Harbor.

Placed on file.

NOTICE OF APPOINTMENT.

Notice was received of the appointment of Alexander C. Chisholm as Bath Trustee, a certified copy of the same having been filed with the Civil Service Commission, September 15, 1911.

CONFIRMATION OF APPOINTMENTS.

Notice was received from the Civil Service Commission of the confirmation of the appointments of James J. Bacigalupo as Trustee for Children.

Placed on file.

DISPOSITION OF PORTICO.

Coun. SMITH offered an order—That the Art Commissioners be requested, through his Honor the Mayor, to send to the City Council, as soon as convenient, an opinion as to the disposal of the portico of the Old Court House, and any recommendations bearing upon the subject as they may deem fit.

Passed.

RECESS TAKEN.

The Council voted, on motion of Coun. BALLANTYNE, at 3.35 p. m., to take a recess subject to the call of the President.

The members of the Council reassembled in the Council Chamber and were called to order by the President at 4.07 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Report on message of Mayor and estimate (referred September 11), concerning extension of Arlington street to Charles River Embankment—that message, estimate and opinion of Corporation Counsel (which was obtained by City Council) be printed in the minutes of the City Council and placed on file.

The opinion of the Corporation Counsel is as follows:

City of Boston,
Law Department, September 18, 1911.

To the Honorable the City Council,
City Hall, Boston:

Gentlemen,—The Clerk of Committees under date of the 14th of September requests for your honorable body my opinion as to the right of the city to sell its fee in Otter and Beacon streets. I presume that "Beacon" is a typographical error for Beaver street and that the inquiry is as to whether the city has such a title in Otter and Beaver streets that it could sell its rights in said streets for any considerable sum of money.

In reply I would state that Otter and Beaver streets were laid out by the Roxbury Mill Corporation as private streets in 1847, and the lots between Beaver and Otter streets were granted the free use forever of Otter, Beaver and River streets.

In 1857 Otter and Beaver streets were laid out as public streets of the City of Boston on condition that the Roxbury Mill Corporation release to the city its rights in said streets and in pursuance to that agreement the Roxbury Mill Corporation deeded to the city the fee of said streets. This conveyance gave to the city the fee in Otter street but not in Beaver street, as in 1847 the Mill Corporation had deeded the deed of said street to the abutters by deeds which bounding on said street conveyed by operation of law the fee.

To recapitulate, the city owns the fee in Otter street subject to private rights of way in the estates between Beaver and Otter streets and does not own the fee in Beaver street.

Before anything could be done in the way of selling the city's rights in these two streets they both would have to be discontinued by the Street Commissioners and damages paid to the abutters for such discontinuance. After the discontinuance Beaver street would become a private way in which the city would have no interest. The city would own the fee of Otter street subject to certain private rights of way.

In my opinion, owing to the existence of these private rights of way, the city's fee in Otter street could not be sold for anything more than a nominal sum, as the party buying would have to acquire the private rights of way from the owners of the whole block. The net result would be that the city would be out whatever sum it had paid in damages to the abutters for the discontinuance of Otter and Beaver streets.

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

Report accepted, communications, etc., ordered printed and placed on file.

(2) Report on message of Mayor, communication and order for $2,000 (referred to-day), for memorial to memory of the late George T. Angell—that the order ought to pass.

Report accepted, order passed, yeas 8, nays 0.

(3) Reports on petitions (severally referred to-day) for sidewalks—recommending the passage of orders that the Commissioner of Public Works make sidewalks on the following streets in front of the hereinafter named estates; said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, the owners to furnish material, viz.:

Brick With Granite Edgestone.

Louis Perimuter, 326–328 Bremen street, Ward 1.

Artificial Stone With Granite Edgestone.

John L. Stervi, 962 Saratoga street, Ward 1.
Charles Bonano, 958 Saratoga street, Ward 1.
Edward J. Ball, 220–222 West Newton street, Ward 10.
Morris Bornstein, 27 Astor street, Ward 10.
Robert T. Paine, 2d, 264 Beacon street, Ward 11.
Robert J. Edwards, 266 Beacon street, Ward 11.
E. N. Foss, 650 Beacon street, Ward 11.
George W. Penniman, 146–148 Cambridge street, Ward 11.
J. J. Powers, 1070 Boylston street, Ward 10.
Rev. John T. Mullen, 98–102 Quincy street, Ward 16.
John Flatley, 26–30 Crescent avenue, Ward 16.
A. Webster, 35, 37, 41 Bellevue street, Ward 19.
Maria Cummins, 80 Hancock street, Ward 20.
M. T. Carroll, 45 Pleasant street, Ward 20.
Fred J. Corbett, 22–24 East street, Ward 20.
William Duff, 149–153 Pleasant street, Ward 20.
Hatchik Krikonian, 15 Pleasant street, Ward 20.
A. R. Gilliland, 975 Dorchester avenue, Ward 20.
D. F. & W. S. Litchfield, 3089–3099 Washington street, Ward 21.
Arthur Lewenberg, 23–29 Calder street and 24–26 Canterbury street, Ward 23.
Mrs. E. M. Fales, 44–46 Torrey street, Ward 24.
Bercan Temple Baptist Church, Lauriat avenue, Ward 24.
C. M. Mowatt, 40 Edson street, Ward 24.
Edwin S. Fields, 502–512 River street, Ward 24.
John W. Douse, 108–112 Train street, Ward 24.
H. C. Towle, 110 Alban street, Ward 24.
William F. Watson, 43A Carruth street, Ward 24.
George E. Perrin, Lanark road, Ward 25.

Reports severally accepted; orders passed.

ACCEPTANCE OF CHAPTER 741, ACTS OF 1911.

President COLLINS called up No. 1, special assignment, viz.:

1. Whereas, The West End Street Railway Company at a meeting of the stockholders specially called for the purpose, to vote upon the question whether or not it shall sell its property, privileges and franchises to the Boston Elevated Railway Company, as provided in chapter 740 of the Acts of the year 1911, voted in favor of such sale, and the Boston Elevated Railway Company at a meeting of stockholders specially called for the purpose, to vote upon the question whether said company shall so purchase the property, privileges and franchises of the said West End Street Railway as provided in said chapter, voted in favor of such purchase; it is

Voted, That the City Council of the City of Boston hereby accept the provisions of chapter 741 of the Acts of the year 1911, entitled "An Act Relative to Electric Railway Transportation Facilities in the City of Boston and its Vicinity," and that a certificate of this acceptance, approved by the Mayor, be filed in the office of the Secretary of the Commonwealth.

The act was accepted, yeas 8, nays 0.

PAYMENT TO MRS. CHESWELL.

President COLLINS called up No. 2, special assignment, viz.:

2. Ordered, That chapter 288 of the Acts of 1911, entitled "An Act to Authorize the City of Boston to Pay a Sum of Money to the Widow of William T. Cheswell," be and the same hereby is accepted, and that under the provisions of the aforesaid act the sum of three thousand dollars be allowed and paid to Millie B. Cheswell, widow of William T. Cheswell, late a chief of the Fire Department, who died from injuries received while in the performance of his duties, said sum to be charged to the appropriation for Reserve Fund.

The order was passed, yeas 8, nays 0.

APPROVAL OF RAILWAY LOCATION.

The Council voted, on motion of Coun. McDONALD, to take No. 6 from the table, viz.:

6. Ordered, That the proposed location by the Boston Elevated Railway Company for an elevated structure, platforms, station and approaches thereto at Washington and Dover streets, Boston, as shown on plan numbered 28206, filed with the City Clerk, be and the same is hereby approved, so far as it is upon public ways or places.

The question came on the passage of the order.

Coun. SMITH—Mr. President, I would like to have some of the members of the Council who are in favor of ratifying these plans tell us how they reconcile themselves to leaving only 3 feet for the public on one of the most congested corners of the City of Boston?

Coun. CURLEY—Mr. President, that subject matter was gone over at two previous meetings of the Council here, I supposed, to the entire satisfaction of Coun. Smith. The question is, whether the people of South Boston and the South End who used the approaches to and from the elevated structure at Dover street are to be compelled to undergo the possibility of loss of life and limb because of the present condition that exists there during rush hours. The only other proposition that has heen advanced is one that is in the nature of a black-jacking proposition, if that term might he applied, compelling the road to purchase the four huildings on the four corners of Dover and Washington streets. On a proposition of this character, as I view it, the only two matters to be considered are, one, the inconvenience to a portion of the public, and the other, the henefit that will result to a portion of the puhlic. I feel in this case that the henefits resulting to the traveling puhlic will far outweigh the inconvenience that will result to people using Dover street at the present time. Washington street at this time is perhaps used fifty times as much as Dover street, and yet there are approaches on Washington street at the present time and there are no approaches on Dover street. I feel that if we are to encourage rapid transit and at the same time protect the lives and limbs of persons using the elevated structure, there is no way out of it except to adopt this plan or compel the road to purchase the property referred to at an exorbitant figure.

Coun. McDONALD—Mr. President, I don't know why it is nccessary, as the councilor from Ward 11 says, that those who favor this proposition should tell him or anyhody else why we reconcile ourselves to the fact that there will he, as he says, only 3 square feet of space on the sidewalk after the structure is huilt. This matter has been before us for five months and the same argument has been hrought up whenever anyhody has called it up with the idea of giving the Boston Elevated a chance to go ahead and huild a temporary and afterwards a permanent structure on Dover street. The people are asking for this; they want it; they want hetter accommodations. The Elevated road is satisfied to spend $350,000 to build a new station there. They can leave the structure as it is, allowing people to get in and out the hest way they can, but they would like to go ahead and furnish the accommodations that would he covered by this new plan. The same argument that has been offered to-day against this was advanced when the hearing was held and it has heen advanced at every meeting since that time when a memher asks that this be taken up and passed. I should like to know what good reason there is why we should not give the Elevated permission to huild a structure there that will accommodate the people at Dover street. The people want a hetter station and the Elevated will have to spend at least $350,000 to give them a hetter station. The only other argument advanced so far is that there is only 3 feet space left hy the exit and entrance that they intend to put on Dover street. That same condition prevails now on Washington street. People are not kicking ahout the 3 feet of space there, but they do want hetter accommodations, better exits and hetter means of getting to the structure. The Elevated is now willing to give them a hetter station and the only argument advanced is that there will he only 3 feet of space left at Dover street. I think it is pretty near time that we acted on this matter. It has heen lying in the Executive Committee four months and has been on the calendar six weeks. It is time that we passed or rejected it so that the Elevated may know whether they can or cannot build the structure there that the peoplc are asking for.

Coun. SMITH—Mr. President, I am very glad to see the councilor coming to the support of the Elevated, because I feel that the Elevated is often a very much ahused corporation. I sympathize heartily with the effort to give the people of the South End hetter transit facilities, and I know that this is along that line. The proposed change in the station at Dover street contemplates putting the tracks in the middle of the streets and putting the elevated structure for the station at each side, widening the present structure so that it will come close to the walls of the adjoining property. In other words, the structure will shut out more light and air than it does now. That is something to he horne in mind. At Dudley street that may be all very well, but it might be a very serious thing to cut off more light and air at Dover and Washington streets. It is very true that additional facilities may be necessary on account of the traffic there, but it seems to me we might very well consider the effect on abutting owners of shutting off more light and air, having an additional structure of this kind with four more entrances and exits than now exist. In other words, at Dover and Washington streets there are four corners, and there are at present exits and entrances on each of those corners, making eight in all. A large part of the sidewalk on Washington street is now taken up with these exits and entrances, leaving a very narrow space on that very narrow thoroughfare, and it is now proposed to add these other structures and take up all this space on Dover street near that corner. We all know that there are so many surface cars already passing there that it is dangerous to force people out onto the street. If we force people out on the sidewalk into the street to a greater extent than at present it may be a very serious matter. We have to consider not only the lines up Washington street and across through Dover street hut also the lines turning from Dover street into Washington street and *vice versa*. The puhlic ought not to he forced unnecessarily to go into the middle of the street. I take it that we are not here so much to conserve the rights of the Elevated as we are to conserve the rights of the puhlic. We are an elective hody, representing the public, and I stand here to-day and sav that I don't think the public is properly represented hy us when we grant the right to a public corporation to ohstruct puhlic sidewalks to such an extent that only 3 feet of space is left for puhlic travel. I ask the gentlemen who support the measure to justify their action in allowing a private corporation to monopolize the sidewalk leaving only 3 feet for the public. Now I don't ask that the station he held up to such an extent that the Elevated cannot huild a station. All I ask is that we request the Elevated to suhmit an alternative plan of exits and entrances. I am not an engineer and this Board is not sitting as a hody of engineers. We are not suggesting to the Elevated what plans it shall adopt, not taking the place of engineers. We are only here to protect the public and, if we can, try to have more than 3 feet provided for sidewalk purposes, so as not to ohstruct puhlic travel. I think I am as much in favor of the Elevated and want to help along transit facilities in Boston as much as any member of the Council, hut I cannot hring myself to vote for the affirmative of this proposition without having it looked into further. The corner of Dover and Washington streets is a growing corner in Boston. We are planning in this Council south and north arteries so as to connect South Boston and the South Cove with other parts of Boston, notably Park square, and yet we are sitting here and voting on a matter that will mean, in connection with such an artery, only 3 feet on the sidewalk for the puhlic at that place. It seems to me that we might put an additional exit or entrance underneath the present one on Washington street. Instead of having one stairway right down we might as well have two, one behind the other, leaving sufficient room for the public on the sidewalk. I can think of half a dozen ways in which the thing might he worked out. All I ask is that this matter be turned back to the committee with a request that alternative plans be submitted.

Coun. KENNY—Mr. President, I cannot agree with the memher on my left. Early last summer we had a hearing on this matter and we had hefore us the officials of the Elevated Railroad. We had their plans and their engineers here to inform us as to the conditions prevailing at this point. I do not agree for one, and perhaps I have as much knowledge of conditions there as the other memhers sitting here, that it would be wise to place an additional servitude on Washington street. I think Washington street is now incumbered sufficiently hy the Elevated Railroad. At the same time we all realize that conditions there have grown to a point where the husiness of the puhlic and the railroads cannot he facilitated with the accommodations that they have there. They have to have additional exits to let the puhlic down from that structure. I do not quite see the point of my friend on the left here when he says that this is going to darken Washington street. Washington street at that point intersects Dover street. There are no houses at the point where the station will he constructed. That will he on Dover street. Dover street is not as important a street as Washington street; it is far from it. Dover street might

very well take the entire incumhrance, if such a thing were possihle, and relieve Washington street. I for one should not for a moment, with the facts I now have, consent to any additional stairways heing placed on Washington street. Furthermore, I am afraid we might he misled hy what my friend has said when he says the corners of Dover and Washington streets will he suhjected to the inconvenience of this limited area of hut 3 feet hecause of the structure. I do not understand that the stairs are coming to the corner. They are going to extend down Dover street perhaps 25 or 30 feet from the corner. Furthermore, it seems to me it will be a great henefit to the traveling public coming from the structure, coming from South Boston, who now have to cross the street diagonally whichever way they are going to take a car or make a transfer. Under this arrangement when you come down from the structure you will be landed where you desire to take a car. I have no desire to push this through. It has heen standing for some months. Perhaps this is not the hest solution. If there is anything hetter I shall he glad to he ar it. But I think on the whole this is a fair solution of the prohlem, and I don't think we are justified in holding it up any longer.

Coun. ATTRIDGE—Mr. President, if the gentleman from Ward 11 on the other side of the Chamher desires more time in order that the Boston Elevated Railway Company may submit alternative plans of entrances and exits at Washington and Dover streets, I for one, as a memher of this Council and coming from that particular district, would he willing to vote to recommit this report to the Executive Committee with a request that the Elevated officials appear before that committee and suhmit, if possihle, an alternative plan. As I rememher it, the engineers who appeared before stated that this was ahout the hest plan to relieve the congestion at that particular point. Of course, we can rest assured that congestion will he relieved somewhat hecause of the fact that under the new arrangement there will he four more entrances and exits than there are at present—these entrances and exits to be on Dover street, thus relieving the congestion from Washington street. I do not want to he charged to-day by any memher of the Council with trying to jam any piece of legislation through this Council. It cannot he said of me that I am extremely friendly to the Elevated; my record in this Council, I think, proves that I am not. But if this gentleman from Ward 11 on the other side of the Chamber desires more time and really wishes the Elevated officials to suhmit an alternative plan, I for one would he in favor of voting to recommit this to the Executive Committee.

Coun. SMITH—Mr. President, that was exactly what I had in mind—that we recommit this with the request that the Elevated suhmit some alternative plans. I did not intend to suggest any plan or hlack-jack them in any way, hut I do think we are here hargaining with the puhlic as our backers. The Elevated is here bargaining with its stockholders as its hackers. Of course, the officials of the Elevated naturally wish to take as much of the puhlic street as they can get and put through the plan that costs them the least. As representing the public we can very well say to the Elevated that we are in favor of a station and additional transit facilities there, hut that we desire them to take less of the sidewalk, and perhaps they would submit an alternative plan taking less of the sidewalk, even though that plan would cost them a little more money. That is all I had in mind when this matter came up on July 17, and in proof of that I will read what I said at that time:

"I think if we refuse this permit to the Elevated they would bring in some supplementary report showing how such an amount of room might he taken on the sidewalk—it might he through a huilding on the corner or through the present exit or exits directly hack of the present ones. Some way could he devised so that the puhlic could be left on Dover street."

That was my attitude then and that is my attitude now—that, as representing the puhlic, it is really our duty to ask the Elevated to submit plans which will take up less of the puhlic sidewalk. That seems to me a moderate request on our part. If we allow them to carry through the plans they suggest in the first place, without action of that sort, we are not properly representing the puhlic who elected us.

Coun. ATTRIDGE—Mr. President, I move you, sir, that this No. 6 he recommitted to the Executive Committee and that that committee request the Boston Elevated Railway officials to submit an alternative plan of entrances and exits to the Executive Committee within two weeks. I think that would he fair to all concerned—to every memher of this Council, to the citizens and to the Boston Elevated Railway Company—and I trust that the motion will prevail.

Coun. CURLEY—Mr. President, as I recall it, when the engineers of the company were hefore the City Council these very questions were thrashed out and they said that their original plan was an island at Dover street similar to what now obtains at Northampton and Washington streets, but that the width of the street and an examination into the amount of traffic at that particular point convinced them that such a course was neither wise nor expedient; that the only alternative plan they could consider was one wherehy they would be compelled to purchase the four corners at Dover and Washington streets. I think Coun. Smith will recall that statement being made at the hearing. Now what is to be gained by this procedure. We simply delay action and the safety and welfare of the puhlic is in danger during the time that we delay. If I felt that anything might he gained by it that would be another question. But as one views the proposition, considering the narrowness of the street at this point and the congestion from the stairways already existing, also the fact that there is less traffic on Dover street than on Washington street, and that the width of Washington street at this point is such as to make it impossihle to so change the surface tracks as to make a track in the center of the street, it would seem that the only alternative plan that might be suggested is one that would possibly mean the purchase of the four great properties at the corner of Dover and Washington streets and a great deal of delay. I sincerely trust that the motion will not prevail.

Coun. KENNY—Mr. President, I am going to make this suggestion. As I understand it now the motion is that the railroad company he requested to suhmit an alternative plan. Now there may he no alternative plan. It may he that this is the only solution of the problem, and if you call upon them to suhmit something that cannot he suhmitted, are you not placing the Council practically in an improper attitude toward the matter? I am perfectly willing under all circumstances to recommit the matter with instructions to report hack in two weeks, hut not necessarily to ask for an alternative plan. Let the committee decide whether there should he one or not, hut do not determine that there shall be one submitted when one may not exist and cannot exist. If the gentleman is willing to amend his motion in that way I am willing to vote for it.

Coun. ATTRIDGE—Mr. President, that could he remedied easily by inserting after the words "an alternative plan" the words "if any is feasihle."

Coun. Attridge's proposed amendment was adopted, and the matter was recommitted to the Executive Committee with the request to report within two weeks, and during that time to invite the petitioner to set forth any alternative plans, if such alternative plans are feasihle, the motion being carried by a rising vote of 6 to 2.

ABATEMENT OF ASSESSMENT.

Coun. CURLEY offered an order—That in accordance with the provisions of chapter 415 of the Acts of 1911 the Board of Street Commissioners be and hereby are authorized to ahate such proportion, not exceeding 20 per cent, of any assessment for a hetterment made on account of the laying out of Columbia road from Franklin Park in Dorchester to Marine Park in South Boston, as said Board shall deem just and expedient; and the City Treasurer is hereby authorized to repay such proportion of any such assessment which has heen paid into the treasury of the city as said Board of Street Commissioners shall approve, the expense thus incurred to be charged to the appropriation for Park Department.

Coun. CURLEY—Mr. President, this is an act to relieve certain property owners along Columhia road. It is an act adopted by the Legislature of the present year, and until such time as the City Council authorizes the Street Commission to act they have no authority in the premises, in so far as their action applies to those who have already paid their assessment into the city treasury. Those who have refused to pay during the past three years are, of course, in a different position, but

those who have paid can only receive their money back by the adoption of this act by the City Council.

President COLLINS—The matter will be referred to the Executive Committee under the rules.

Coun. KENNY—Mr. President, I was going to move, if in order, that a copy of the act be printed in the record, so that when the matter comes up at the next meeting we will have it before us.

Coun. CURLEY—The matter, having been passed by the Legislature, has been presented to us and is before us.

Coun. KENNY—Well, when it is reported back I will have time enough to have the act printed in the record.

INVESTIGATION OF BUILDING DEPARTMENT.

Coun. CURLEY offered an order—That his Honor the Mayor be requested to investigate the conduct of the Building Department, as per charges of Local Union No. 175 of the United Association of Journeymen Plumbers, Gas Fitters, Steam Fitters, Steam Fitters' helpers, hereto annexed.

The order was read for the information of Coun. Kenny.

Coun. CURLEY—Mr. President, I most respectfully ask that the charges be read.

The charges were read, as follows:

Local Union No. 175,
September 16, 1911.

Dear Sir,—Local 175, representing the gas fitting trades in the City of Boston, decide to enter protest relative to the violation of the gas fitting laws. We are in possession of facts and proofs ,which we can submit to you, and ask for an investigation. Men and boys unlicensed are performing gas work.

Complaints too numerous to mention have been lodged with the Building Department.

Men are now engaged in the contracting of gas work as masters, employing nonlicensed and incompetent labor (contrary to law) and are covered on permits by masters holding papers.

We can produce facts to substantiate our charges and will when called upon appear.

Our body asks you in justice and the interest of fair play and good government to look into this matter and call the Council's attention to same at meeting on September 18. We have three cases, positively backed up, which at present will bear looking into.

Boston Plumbing Company, Portland street, job on Hemenway street, at head of Astor street. Nonlicensed men and boys engaged on this work.

Mr. Levine, Astor street, job now on.

Mr. Burger of Chelsea, the foremost violator, at present doing large fixture job in Dorchester.

These are but a few of the violators.

Trusting that we may read of this in some way and some good result from same, we remain,

Yours respectfully,
Local 175, U. A. A. F. L.,
per A. Mason,
Recording Secretary.

24 Dana Street, Roxbury.

The question came on the passage of the order.

Coun. CURLEY—Mr. President, I have no desire to take up the time of the Council with a discussion of this proposition. I presented an order calling attention to the failure of the Building Department to properly safeguard the interests of persons who reside in Boston some four months ago, and I am informed that during the interval the Gas Fitters' Union and the Plumbers' Union have brought specific cases to the attention of the Building Department but without satisfaction. As I understand it, under the charter the Mayor has a right to order an investigation if facts are presented. This order calls upon the Mayor to make that investigation and the facts are submitted in connection with the order. I believe, in the interests of the public of Boston at large, that the order should be adopted and that the original investigation should be made by his Honor the Mayor, and I believe that if the Building Department knowingly or without knowledge permits violations of this character by its inspectors—and I don't say it does—that situation should be corrected. I want to reiterate what I said at the time when this matter was under consideration some three months ago, that I am firmly of the belief that Mr. Everett, the Building Commissioner, is an absolutely honest man, but that he does not know what takes place in his department.

The order was passed.

EIGHT HOURS FOR AMBULANCE DRIVERS.

Coun. CURLEY offered an order—That the City Hospital Trustees, through his Honor the Mayor, inform the City Council what additional sum of money is necessary to place the ambulance drivers employed at City Hospital upon an eight-hour basis.

Passed.

SIDEWALK ORDERS.

President COLLINS offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Ashmont street, between Washington street and Dorchester avenue, Ward 24, in front of the estates bordering said sidewalk, to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Referred to the Executive Committee.

President COLLINS offered an order—That the Commissioner of Public Works make a sidewalk along 123 Washington street, Ward 20, and extending four houses beyond said estate, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

Coun. CURLEY offered an order—That the Commissioner of Public Works make a sidewalk along 113-115 Williams street and on the Plainfield street side of said estate, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

SOLDIERS' RELIEF.

Coun. BUCKLEY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of September.

Report accepted; order passed.

CALL FOR ORDINANCE REPORTS.

Coun. SMITH—Mr. President, I would like to make a motion that the Council take from the Committee on Ordinances two ordinances which have been resting there for what seems to me to be an undue length of time, one referring to the height of firemen and the other to the building limits. The reason why I ask this is that ordinance relating to building limits was referred to the Committee on Ordinances April 3 of this year, the ordinance relative to the height of firemen April 24 of this year, and on May 24 of this year a public hearing was held. It seems to me those two matters have been in committee long enough, and in view of the fire hazard in this city, in view of the present need of attending to matters relating to the Fire Department, I believe we should at once take up and dispose of these questions. If there is any good objection to dealing with these matters within six months of their having been brought in, I should like to have the chairman of the Committee on Ordinances state it. If he can bring such arguments to our attention, I shall appreciate them.

President COLLINS suggested that the questions should be divided, and Coun. SMITH said he would first call for the matter relating to the height of firemen.

Coun. CURLEY—Mr. President, before making a motion to lay this motion on the table, I should like to ask the chairman of the Committee on Ordinances when he proposes to call a meeting of the Committee on Ordinances to consider these matters, if he can inform that body.

Coun. McDONALD—Mr. President, I have called four or five meetings of the Committee on Ordinances within the prescribed time mentioned by the gentleman from Ward 11. He was present at all the meetings. We attempted to get a vote on the height of firemen at each one of the meetings, and I think he was one of the gentlemen not ready to vote on it. I am satisfied to call a meeting at any time.

Coun. CURLEY—Mr. President, do I understand Coun. McDonald to infer or to wish us to infer that Coun. Smith had not been instructed how to vote? (Laughter.)

Coun. McDONALD—Yes, he was not prepared. I don't know whether he had received his instructions, but he was not prepared to vote.

Coun. CURLEY—Mr. President, Coun. McDonald has not answered my question. My question was, when he would call a meeting of the Committee on Ordinances. Would he call it within a week?

Coun. McDONALD—I will try to call it before the next meeting of the Council, Mr. President.

Coun. CURLEY—Mr. President, in view of the statement made by the chairman of the Committee on Ordinances, I feel that it would be very discourteous on the part of the Board to adopt the motion proposed by Coun. Smith. Accordingly, I move that Coun. Smith's motion lie on the table.

Coun. SMITH—Mr. President——

President COLLINS—The Chair rules that there is no debate allowed on the question of laying on the table.

Coun. SMITH—Mr. President, I do not intend to debate that question. I simply want to correct a misstatement of fact.

President COLLINS—The Chair cannot entertain any debate on the motion to lay on the table.

The motion to lay on the table was declared carried. Coun. Smith doubted the vote and asked for the yeas and nays.

The motion to lay on the table was carried, yeas 7, nays 1, Coun. Smith voting nay.

Coun. SMITH—Mr. President, I move a reconsideration of the vote just taken, and I would like to say that, instead of there having been several meetings of the Committee on Ordinances called, there has been to my knowledge—and I have been in town all summer attending to business—but one meeting of the committee called since the matters were taken up on the dates I have mentioned. At that committee meeting I was present and the chairman suggested that we put over until fall consideration of the extension of the fire limit, although the committee as a committee had gone out with Fire Commissioner Daly and had gone about the bounds proposed by him as the new fire limit. Not only that, but the matter of the height of firemen was not taken up. The chairman of the committee, according to my memory, said he did not think it proper to take it up at the present time as so few of the committee were present. But, speaking for myself, I was then and am now entirely ready to act on both these propositions. Regardless of that I am perfectly willing to wait for a committee meeting, if it is going to be called within the next two weeks. The purpose of my motion here to-day will have been achieved if the chairman of that committee will call a meeting within two weeks. It seems to me rather unbusinesslike and unwise to allow the matter to drag along indefinitely, with the public temper on the question. We have had three meetings in the fall since the Council came back and as yet no call has gone out for a meeting of the Committee on Ordinances. If we can have assurances from the chairman that such a call will be issued within two weeks, I shall be perfectly satisfied. I thought there might be one other reason for asking for this. Coun. McDonald may have been put in an embarrassing position. He is chairman of the committee, and as such has a right to call it. In view of his vote last Monday asking that a new Fire Commissioner be appointed by his Honor the Mayor, some people about town might say that Mr. McDonald in his animosity towards the present Fire Commissioner was holding up certain improvements in the Fire Department as chairman of the committee, and it might be embarrassing to Mr. McDonald. I trust that he will give assurance of calling a meeting within two weeks.

Coun. McDONALD—Mr. President, the gentleman from Ward 11 has got his wires crossed when he says that because of my vote asking the Mayor of Boston to appoint another Fire Commissioner I may not be in the good graces of the present Fire Commissioner. One of the reasons why I have not called a meeting within the last two or three weeks——

Coun. SMITH—Mr. President, I simply said that certain people about town might say that there was some animosity. I did not state that I believed the councilor was in the bad graces of the Fire Commissioner, and I did not wish to imply so.

Coun. McDONALD—Mr. President, he said somebody about town, and of course he would not have to throw bricks very far. The Fire Commissioner within the last two or three days said he was going to take a trip out West and asked that action be postponed until he came back. I had called a meeting five or six weeks ago and we acted on the ordinance relative to the fire limit, voting to have a public hearing, and the Chamber of Commerce through its secretary and the secretary of the Real Estate Exchange asked me to call off that public hearing, and to wait until after the fifteenth of September, when they would be ready to attend the public hearing, and they would let me know. I told the councilor in executive session the desires of the Chamber of Commerce and the Real Estate Exchange, and I told Commissioner Daly on Friday morning that we would wait until he came back, as he wished to appear before the committee, and that then I would call a meeting of the Committee on Ordinances and have an order introduced into the Council for a public hearing in fourteen days, as prescribed by law. The gentleman possibly has been talking to somebody who has not rightly informed him of the situation. It was not because of my desire to call off anything that the meeting was postponed. We talked the matter over in executive session and it was decided to call off a certain meeting in July, having it postponed until further notice, because the Real Estate Exchange and the Chamber of Commerce desired the meeting postponed until they had a chance to appear before the public meeting in relation to it.

Coun. SMITH—Mr. President, I am glad the gentleman has cleared the matter up and that there will be speedy action on both those questions. I trust that he will not take the thing in a personal way. I assure him that there is nothing personal in my request. Simply viewing the matter as one that should be acted on, as most of us do view it, we wish to have action taken at the earliest possible day. I shall, however, be glad to withdraw my motion if the chairman of the committee will on his part assure us that he will call a meeting within two weeks.

Coun. McDONALD—Mr. President, just one more word. I am glad to see the gentleman from Ward 11 viewing the needs of the city Fire Department and the service of the department as he now does, because a little while ago he thought the department was in good condition and didn't need extra firemen or improvement in the service.

Coun. SMITH—Mr. President, may I ask the Council to wait until my statements on this subject can be read from the record? Perhaps that is the best way to disprove the statement the gentleman has just made.

Coun. McDONALD—As far as that is concerned, I will read them myself when I have time.

Coun. SMITH—I would ask the courtesy of the Council waiting a few moments until my statement in regard to the Fire Department may be read. If the Council does not care to grant that courtesy, very well.

President COLLINS—The Chair rules that that question is not before the Council. If the Council wishes by unanimous consent to postpone its proceedings it may do so, but the Chair is constrained to rule that the only matter before the Council is the question of reconsidering the vote to lay this matter on the table.

Coun. SMITH—Mr. President, in the debate here certain statements have been made as to the way I have voted or felt or was inclined toward the increase of firemen. I don't think members of the Council need any enlightenment on that subject, in spite of the false statement just made by Coun. McDonald. My attitude was shown at the meeting which we held with the Mayor before he left for Europe. At the time we discussed the subject of the increase of firemen it was reported in a letter that some of the papers printed immediately following the Mayor's return, and it was shown by my vote on the subject as soon as the matter was sent down to us by the Mayor, how I felt. If the Council, however, does not care to allow my remarks to be read from the

minutes, I am perfectly satisfied to take this method of refuting the statements made hy the gentleman.

President COLLINS—The Chair will state that after the motion hefore us is disposed of, the gentleman's motion can be entertained.

Coun. KENNY—Mr. President, I would suggest that he might refer to the numher of the page of the record, and then it can he read at some other time. The reprinting is going to cost the city some money and I don't see why it should he read. If he will refer to the numher of the page it can be read.

Reconsideration was declared lost. Coun. SMITH doubted the vote and asked for the yeas and nays. Reconsideration was lost, yeas 1, nays 7; Coun Smith voting yea.

SALE OF CHARLESTOWN ALMSHOUSE PROPERTY.

Coun. CURLEY moved to take from the table No. 4, viz.:

4. Ordered, That the Boston Infirmary Trustees be and hereby are authorized, with the approval of the Mayor, to sell to the Boston Elevated Railway Company for a sum not less than seventy-two thousand dollars ($72,000) the property in the Charlestown district known as the Charlestown Almshouse, with the land connected therewith, containing ahout 102,400 square feet, and upon such sale his Honor the Mayor is hereby authorized, in the name and behalf of the city, to execute a deed satisfactory to the Law Department, conveying said premises to said company for a consideration not less than seventy-two thousand dollars ($72,000) to be determined by said trustees and approved as aforesaid.

On July 17 the foregoing order was read once and passed, yeas 6, nays 0.

The motion to take from the tahle was declared lost by a rising vote, 3 to 3. Coun. CURLEY doubted the vote and asked for the yeas and nays, and the motion to take from the table was lost, yeas 3, nays 5:

Yeas—Coun. Attridge, Curley, McDonald—3.

Nays—Coun. Ballantyne, Buckley, Collins, Kenny, Smith—5.

REPAIR OF GEORGE STREET.

Coun. CURLEY offered an order—That the Commissioner of Public Works, through his Honor the Mayor, he requested to place in condition suitable for puhlic travel George street, from Gerard to Magazine street, Ward 17.

Passed.

GENERAL RECONSIDERATION.

Coun. BALLANTYNE moved a general reconsideration on all husiness transacted at the meeting, hoping that the same would not prevail. Lost.

ADJOURNMENT.

Coun. BALLANTYNE moved that the Council adjourn, to meet on Monday, October 2, at 3 p. m.

Coun. CURLEY—Mr. President, if in order, I would like to ask a question of the chairman of the Committee on Finance, hefore that question is taken. I would like to ask the chairman of the Committee on Finance when he proposes to call a meeting of the committee.

Coun. KENNY—I have no definite date in mind, Mr. President.

Coun. CURLEY—Mr. President, I would ask if there is a possihility of his calling it in the next two weeks or two months.

Coun. KENNY—Mr. President, I had no intention of calling a meeting immediately. There are pending a number of recommendations hy the Mayor which, hefore the date of expiration of time, no doubt the committee will he called upon to consider. I have those matters in mind, and I have no douht in due course a meeting will he held. But just when I cannot tell.

Coun. CURLEY—Mr. President, my purpose in asking the question was to secure information with relation to the recommendation for a loan for the City Hospital. I feel that it is of sufficient importance to warrant a meeting of the Committee on Finance. The proposition should he acted upon one way or the other, and I think we should know when there is a possihility of that committee meeting being called. The city has purchased the site for a new hranch of the South Department for infectious diseases. In case of an epidemic at any time we are liahle to have cramped conditions there so that we will have to hire outside quarters. I think we should take some action.

Coun. KENNY—Mr. President, the gentleman now asking the question stated to me early in the summer that he would he willing to vote an appropriation for the construction of the new South Department as contemplated out of the taxes or rather out of the Reserve Fund. I would like to ask him if he is still inclined to do so.

Coun. CURLEY—Mr. President, I have no ohjection to answering that question, hut my question has not heen answered yet—as to when that committee is going to meet, when you are going to call them together.

President COLLINS—The Chair will state that this debate is suhject to the unanimous consent of the Council. The question is on Coun. Ballantyne's motion that we now adjourn to meet again on Monday, Octoher 2, at 3 p. m.

Adjourned at 5.04 p. m., to meet on Monday, Octoher 2, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 2, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair and all the members present.

The Council voted, on motion of Coun. ATTRIDGE, to dispense with the reading of the records of the last meeting.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894 (the Mayor being present), viz.:

Twelve traverse jurors, Superior Civil Court, First Session, to appear October 16:

George N. Baker, Ward 16; John J. Cunningham, Ward 15; David Simpson, Ward 22; John F. Keefe, Ward 2; Frederick T. McCarthy, Ward 2; William J. Foley, Ward 12; Herbert L. Ray, Ward 20; Pliney P. Mason, Ward 5; Samuel D. Knowlton, Ward 20; John D. Lawler, Ward 23; Arthur W. Stranger, Ward 20; Robert F. Pike, Ward 17.

Ten traverse jurors, Superior Civil Court, Fourth Session, to appear October 16:

John E. Swanson, Ward 22; John J. Flynn, Ward 20; Joseph H. Jobling, Ward 20; Dennis F. Kerrigan, Ward 7; Albert L. Sears, Ward 14; Henry J. Thayer, Ward 11; Frank D. Mark, Ward 8; John T. Slack, Ward 15; Martin J. Mealey, Jr., Ward 2; Daniel D. Morse, Ward 16.

Ten traverse jurors, Superior Civil Court, Seventh Session, to appear October 9:

Thomas F. Barry, Ward 2; Fred W. Hartford, Ward 16; Samuel B. Doggett, Ward 25; Frank P. Thayer, Ward 20; Charles J. Daily, Ward 19; Fred M. Wheeler, Ward 13; Joseph Hesse, Ward 23; George H. Page, Ward 13; Charles A. Baker, Ward 2; John J. Fitzgerald, Ward 9.

SIDEWALK ORDERS —VETO.

The following was received:

City of Boston,
Office of the Mayor, September 27, 1911.

To the City Council:

I beg to return herewith, without my approval, an order passed by your honorable body at its meeting of September 18, 1911, which provides that the Commissioner of Public Works make a sidewalk along 113–115 Williams street, and on the Plainfield street side of said estate. The Commissioner of Public Works withholds his approval on the ground that this work should not be done during the present season.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

—

The following was received:

City of Boston,
Office of the Mayor, September 27, 1911.

To the City Council:

I beg to return, without my approval, an order passed by your honorable body at its meeting of September 18, 1911, which provides that the Commissioner of Public Works make a sidewalk along 123 Washington street, Ward 20, extending four houses beyond said estate. The Commissioner of Public Works withholds his approval on the ground that this work should not be done during the present season.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, October 2, 1911.

To the City Council:

Subject to confirmation by your honorable body, I hereby appoint Olaf Bensen (Parental School, Ward 23), Walter G. Conant (81 Billings street, Atlantic), Miss Agnes F. Farrington (22 Autumn street, Somerville) and James R. Taylor (8½ Arbella street, Salem), Weighers of Coal for the term ending April 30, 1912.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Laid over under the law.

MONEY FOR BATH DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, October 2, 1911.

To the City Council:

I transmit herewith a communication from the chairman of the Board of Bath Trustees, requesting an additional appropriation of eight thousand nine hundred and eighty dollars and seventy-five cents ($8,980.75) for the Bath Department. He states that owing to the purchase of extra supplies the appropriation voted by your honorable body at the beginning of the year has been greatly diminished and it will be necessary to have this additional sum in order to carry on the important work of the department.

I recommend the passage of the accompanying order transferring the sum of nine thousand dollars ($9,000) from the appropriation for Reserve Fund to the appropriation for Bath Department.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Bath Department, October 2, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

My dear Sir,— I respectfully request an additional appropriation of $8,980.75 for the Bath Department. This additional appropriation has become necessary owing to the extra demands made on the department during the past season as regards additional forces at L street and other houses, and the extraordinary demands that were made on us during the extreme hot spell the first few weeks in July, when, as suggested by you, the department spared no expense in caring for the public. Owing also to the fact that this year, for the first time, trunks were worn at L street, the sum of $3,195 was expended for the purchase of same. Also the trustees purchased $1,760 worth of towels and $2,665.80 worth of bathing suits for the department. The wearing of tights at L street increased the work in the laundry, which made it necessary, as a consequence, to increase our force at that place.

The original appropriation of $186,000 has proved inadequate owing to the reasons stated above, and in addition, also, to the fact that we open on the 2d of October two new houses, one at Paris street, East Boston, and the other in Curtis Hall, Jamaica Plain.

I transmit herewith an itemized account of the amounts necessary for conducting the department for the balance of the year:

East Boston Gymnasium, from October 1 to January 31:	
Salaries	$3,892 29
Gymnastic instructors	733 00
Maintenance	1,383 33
Curtis Hall, from November 1 to January 31:	
Salaries	1,769 13
Gymnastic instructors	733 00
Maintenance	50 00
Swimming instructors, from November 1 to January 31	420 00
	$8,980 75

Respectfully submitted,
RICHARD M. WALSH,
Chairman Bath Trustees.

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of nine thousand dollars ($9,000) from the appropriation for Reserve Fund to the appropriation for Bath Department.

Referred to the Executive Committee.

HOSPITAL FOR TUBERCULAR CHILDREN.

The following was received:

City of Boston,
Office of the Mayor, September 29, 1911.

To the City Council:

I beg to transmit the accompanying letter from the chairman of the Consumptives' Hospital Department, urging an appropriation of fifty thousand dollars ($50,000) for the erection of a hospital to contain fifty beds for children with demonstrable tuberculosis.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Consumptives' Hospital,
September 18, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—At a meeting of the Trustees of the Boston Consumptives' Hospital held on September 15, 1911, I was directed to call the attention of your Honor to a letter from this Board to yourself dated May 25, 1911, requesting an appropriation for $50,000 for the erection of a hospital to contain fifty (50) beds for children with demonstrable tuberculosis, and $80,000 for another concrete building similar to the two concrete buildings now erected at Mattapan, making a total of $130,000. The request for an appropriation for a children's hospital was first made in September, 1909. The Board directs me to say that the need for a children's hospital particularly is pressing and immediate, and continued progress along the lines which have put Boston in the lead among the cities of the world in fighting tuberculosis will require that this appropriation be made forthwith.

Trusting that this will meet with your approval, I am,

Respectfully yours,
EDWARD F. MCSWEENEY, Chairman.

Referred to the Committee on Finance.

IMPROVEMENTS ON BOSTON COMMON.

The following was received:

City of Boston,
Office of the Mayor, September 29, 1911.

To the City Council:

I have carefully considered the request made in the accompanying letter from the Superintendent of Public Grounds and desire to recommend an appropriation of twenty-five thousand dollars ($25,000) from the Parkman Fund for the purposes indicated by him. There are at the present time about seventy thousand dollars ($70,000) available from this fund and by the end of the present calendar year it is expected that some twenty-two thousand dollars ($22,000) more will be added to the income. I have already recommended an appropriation of fifteen thousand dollars ($15,000) to be expended under the direction of the Superintendent of Public Grounds for bubble fountains, convenience stations and other improvements, and four appropriations, totaling twenty-four thousand two hundred dollars ($24,200) to be expended by the Board of Park Commissioners for improvements at Charlesbank, Castle Island and Franklin Field. These, with the appropriation now recommended, would take sixty-four thousand two hundred dollars ($64,200), a sum which falls within the income now available, and will leave nearly thirty thousand dollars ($30,000) at the end of the calendar year for other purposes. I trust that all the income will be appropriated, as there are many legitimate purposes to which it may be applied and no particular advantage in leaving a remainder at the end of the year to be added to the principal.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Public Grounds Department,
September 22, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—For your information I wish to state that upon payment of the contracts now let and those anticipated in the immediate future in connection with the improvements on Boston Common, under the Parkman Fund, the small surplus of about $3,000 will then be available for future work.

With such an amount we cannot hope to undertake our contemplated work along present defined lines for the coming fall. Under these circumstances I wish to strongly recommend to your consideration the advisability of further appropriation for the continuance of these studied improvements.

Reference to our former letters of March 7, May 20 and June 7 will show the necessity for such additional money.

It is to be regretted if this work must cease at the present stage when everything is progressing so satisfactorily, and, in my estimation, it would be a serious drawback for future undertakings if for lack of additional appropriation we cannot continue under the present well organized system.

I trust this matter will receive favorable consideration.

Respectfully yours,
D. H. SULLIVAN, Superintendent.

Ordered, That the sum of twenty-five thousand dollars ($25,000) be and hereby is appropriated from the income of the Parkman Fund, to be expended under the direction of the Superintendent of Public Grounds for Soil Renovation and General Improvements on Boston Common.

President COLLINS—If there is no objection the order will be referred to the Committee on Parkman Fund.

Coun. CURLEY—Mr. President, I would move a suspension of the rules that the order may have a reading at this time. As I understand it, there are some fifty men employed in the Park Department who have been suspended within the last week because of lack of appropriation. Everyone realizes that renovation work can be performed to better advantage at this season of the year than later, when frost is in the ground. An equal number of men have been suspended in the Public Grounds Department, where work might be done on trees, directly connected with renovation. I feel that a saving can be effected by having work done at this season rather than having it delayed until frost is in the ground. I believe we should act immediately, and I sincerely trust that the rule will be suspended and that we will act at this time.

President COLLINS—The Chair would remind the Council that but one reading is necessary on this order, that it is a departmental matter under the Department of Public Grounds. Unless the rule is suspended, it should be referred to the Parkman Fund Committee, or it could be referred to the Executive Committee.

Coun. CURLEY—Mr. President, I move a suspension of the rules that the order may be placed on its passage.

Coun. KENNY—Mr. President, it seems to me that reference to the Parkman Fund Committee is the proper reference. I have already decided, as a member of that committee, to have a meeting called this week for the purpose of making an inspection in connection with these various recommendations, and I should certainly oppose any action this afternoon that would involve putting this order in force to-day. The Committee on Parkman Fund will meet this week and will be prepared to make a report next Monday on these various matters.

Coun. CURLEY—Mr. President, the fact remains that the gentleman directly in charge of the expenditure of this money, the Superintendent of Public Grounds, has made the request of his Honor the Mayor, and the Mayor has seen fit to make the recommendation that men whose services have been satisfactory in the Public Grounds Department, and who have been under suspension some little time, because of lack of appropriation, may continue those services. Of course, a delay of a week or two until such time as the Committee on Parkman Fund may have an opportunity to consider this proposition will not affect the members of the Council a particle, but it will affect the men under suspension, who are

eager to go back to work, and in addition to that it will result in having this work put into effect from one to two weeks earlier than would otherwise he the case. If, as I understand it, the work can he performed with greater economy and with hetter advantage to tbe city at this time rather than from one to two weeks later, I see no great harm that can result from acting on the proposition at once. I would respectfully ask that the Assistant City Clerk be requested to read the communication once more, so that if there is any particular point in connection with the communication to which ohjection can he raised or any valid argument that can he advanced in favor of a further delay, it may be threshed out.

The communication from the Mayor and the accompanying order were read.

Coun. KENNY—Mr. President, this is really a matter of administration of the Parkman Fund. It is not primarily for the Mayor to decide how this money shall be spent, it is rather for the Council, suhject, of course, to the Mayor's approval. It seems to me that this admonition or notice should have come to the Council earlier. We have from time to time expended money on Boston Common for what they call the renovation of the soil, and there are other things for which this money must be spent. This is a matter of administration. It may he that after consultation we cannot feel that we should spend this $25,000 at this time for this purpose. I object seriously to having the matter come to the Council in this way and having it rushed through. Therefore I hope the rule will not he suspended. The committee is going to meet this week, is going to take up this and other matters, will very likely go around and see some of these places, and I think this is a matter that should be left to the committee to make a report upon, say next week. I think we can have a report here, say next Monday.

Coun. CURLEY—Mr. President, I dislike very much to take up the time of the Council with general discussion of this proposition. The fact remains that the bulk of the Parkman Fund that has been expended, apart from that for the Zoo and Aquarium, has been for improvements on Boston Common. If this $25,000 is necessary for the renovation of the soil and the completion of that particular work hegun about a year ago, and if at the end of the fiscal year any balance tbat remains unexpended of the interest that accrued during the year reverts back and cannot be available this year, I feel that no serious danger would result from acting on the proposition to-day. Of course, I suppose the chairman of the committee desires an opportunity to look into and examine this matter for himself. But the fact remains that something should he done in this matter. If the work can he done to hetter advantage at this time of year than later when the frost is in the ground, I helieve it should he done.

Coun. SMITH—Mr. President, I would ask Coun. Curley if he knows when the present contracts expire?

Coun. CURLEY—I would say that I don't know about the present contracts.

The motion to suspend the rule was declared lost hy a rising vote, 4 to 4. Coun. CURLEY douhted the vote and asked for tbe yeas and nays. The Council refused to suspend the rules, yeas 4, nays 4:

Yeas—Coun. Attridge, Buckley, Curley, McDonald—4.

Nays—Coun. Collins, Hale, Kenny, Smith—4.

President COLLINS—The order will he referred to the Committee on Parkman Fund.

PRINTING OF PROBATE INDEXES.

The following was received:

City of Boston,
Office of the Mayor, Octoher 2, 1911.

To the City Council:

I heg to transmit herewith a communication from the Register of Prohate, requesting an appropriation of four thousand five hundred (4,500) dollars for the purpose of printing in one volume 100 copies of the present Volumes 1 and 2 of the Probate Indexes from 1894 to 1910.

The reasons given in this letter seem to me to he satisfactory and I recommend that, after your honorahle hody, sitting as County Commissioners, has authorized the Register of Probate to print these volumes, the appended order transferring the sum stipulated from the Reserve Fund to the appropriation for County of Suffolk, Prohate Court, he passed.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Probate Court and Court of Insolvency,
Boston, Mass., September 29, 1911.

Hon. John F. Fitzgerald, Mayor of Boston, and the City Council of tbe City of Boston, as such, and as they are County Commissioners of the County of Suffolk:

Dear Sirs,—The indexes of cases entered in the Registry of Probate from 1894 to 1910 are made up of four written volumes of approximately 700 pages each. The hulk of these volumes is such, and their use hy the public so continuous, that they cannot possihly last more than, say, three years. To rewrite tbem would take the entire time of two clerks for at least two years. A consolidated index of all cases from 1636 to 1894 was printed several years ago. I have caused to he rewritten the first two volumes of the series from 1894 to 1910 that the same may he printed and the index put in an enduring form. Upon the printing of the present Volumes 1 and 2 of the indexes from 1894 to 1910, the present Volumes 3 and 4 of this series will he rewritten and authority requested for printing the same. I have requested the Municipal Printing Department to furnish me an estimate of the cost of printing 100 copies of the first two volumes of the series in one volume, and have received a reply to the effect that the cost would he $4,027.50. I helieve that this is a reasonahle figure, and I respectfully request that authority be granted to print said index and that an appropriation of $4,500 he made hy transfer from the Reserve Fund for the purpose of printing 100 volumes of what will he Volume 1, now Volumes 1 and 2, of the Probate Indexes from 1894 to 1910.

Yours very respectfully,
ARTHUR W. DOLAN, Register.

Ordered, Tbat in accordance with the provisions of chapter 261 of the Acts of 1893 tbe City Auditor he and hereby is authorized to transfer the sum of four thousand five hundred (4,500) dollars from the appropriation for Reserve Fund to the appropriation for County of Suffolk, Prohate Court.

The communication and order were declared referred to the Executive Committee.

Coun. CURLEY—Mr. President, in connection with the communication from his Honor the Mayor I desire to present this order:

Ordered, That the Register of Probate within and for our County of Suffolk he and he hereby is authorized to cause to he printed the first two volumes of the Prohate Index for said County of Suffolk from 1894 to 1910, said two volumes to he consolidated and printed as one volume.

Coun. CURLEY—Mr. President, I most respectfully move reconsideration of reference of the transfer order to the Executive Committee, that the same may be acted on at this time, and when acted on I shall move the adoption of the order.

Reconsideration of reference to the Executive Committee prevailed.

On motion of Coun. CURLEY, the recommendation and order suhmitted by the Mayor were adopted, yeas 8, nays 0.

Coun. CURLEY'S order was passed, yeas 8, nays 0.

WIDENING OF NORFOLK STREET.

The following was received:

City of Boston,
Office of the Mayor, September 29, 1911.

To the City Council:

I have received the order passed by your honorahle hody at its meeting of September 11, 1911, that I be requested to consider the advisability of at once recommending the transfer of one hundred and fifty thousand dollars ($150,000) from the Reserve Fund to an appropriation for the widening of Norfolk street, Dorchester; also a resolve of similar tenor requesting the transfer of one hundred thousand dollars ($100,000) for the same purpose.

The secretary of the Street Laying-Out Department, in a communication which is appended hereto, has transmitted estimates of the cost of widening this street to a width of 60 feet from Washington street to the bridge at Corbet street, to Morton

street, to Walk Hill street, and to Blue Hill avenue. The estimates are $150,000, $200,000, $250,000 and $265,000, respectively. As the stretch from Washington street to Corbet street bears the largest amount of traffic it seems to me that this part should receive attention first. I recommend, therefore, the passage of the appended loan order appropriating one hundred and fifty thousand dollars ($150,000) for the widening of Norfolk street.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Street Laying-Out Department,
September 25, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Complying with your suggestion of a few days ago the Board of Street Commissioners has had estimates prepared of the cost of widening Norfolk street, Dorchester, for its whole length and for various parts thereof, according to the amount of money available.

For $265,000 the street could he widened to 60 feet from Washington street to Blue Hill avenue.

For $250,000 it could he widened to 60 feet from Washington street to Walk Hill street.

For $200,000 it could he widened to 60 feet from Washington street to Morton street.

For $150,000 it could be widened to 60 fect from Washington street to the bridge at Corhet street.

In none of these estimates is sewerage work included.

Very truly yours,
J. J. O'CALLAGHAN, Secretary.

—

Ordered, That the sum of one hundred and fifty thousand dollars ($150,000) be and hereby is appropriated, to be expended under the direction of the Board of Street Commissioners for widening of Norfolk street, and that to meet said appropriation the City Treasurer be authorized to issue bonds or certificates of indebtedness of the City of Boston to said amount.

Referred to the Committee on Finance.

WIDENING OF UNION PARK STREET.

The following was received:

City of Boston,
Office of the Mayor, October 2, 1911.

To the City Council:

At the meeting of your honorable body held September 11, 1911, a loan order was recommended by me for seventy-five thousand dollars ($75,000) for the widening of Union Park street, between Washington street and Harrison avenue. I need not reiterate here the arguments for this improvement which have been set forth hy me in two messages. It has heen brought to my attention that owing to the comparative smallness of the amount involved some memhers of your honorable body prefer to have this hrought before them in the form of a transfer from the Reserve Fund. The Reserve Fund on October 1 amounted to nearly three-quarters of a million dollars and could, in my opinion, be reduced by this moderate amount without prejudice to any important public interest. I desire to recommend therefore the passage of the accompanying order transferring the sum of seventy-five thousand dollars ($75,000) from the appropriation for Reserve Fund to an appropriation for the widening of Union Park street, to be expended under the direction of the Board of Street Commissioners.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of seventy-five thousand dollars ($75,000) from the appropriation for Reserve Fund to an appropriation for the widening of Union Park street, to he expended under the direction of the Board of Street Commissioners.

The order was declared referred to the Executive Committee.

Coun. CURLEY—Mr. President, I move a reconsideration of the reference and if the motion prevails I shall move a suspension of the rules that the order may take a reading at this time. The mean width of Union Park street is some 70 to 80 feet long its entire length, with the exception of that portion between Washington street and Harrison avenue, and I feel that the character of the property that is to-day on Union Park street on one side—the side which will in all probability be widened—is such that it would be wisdom on the part of the city to act upon this matter at once. There is no telling when real estate speculators may get in there and put up a different character of buildings than are to he found there at the present time, mostly ramshackle wooden affairs. As I understand it, the parties most interested in the Cathedral at that point have made arrangements with the owners of property that would be affected by the widening—if I am correctly informed—and they are agreeable to joining with the city in the matter of this public improvement, to the end that the city will not be compelled to pay unjust or unfair prices for any property that may be taken in consequence of the widening. There is no valid reason—none that suggests itself to me—why the edifice of this particular denomination should not have as good surroundings as are to-day found in the vicinity of the leading church of another denomination on Copley square; and, in view of the fact that this section of the city is bound to develop eventually, the possibility is always present that expensive buildings may be constructed there at some time in the future, and if the widening then takes place it will cost the city a great deal more than it would be compelled to pay at the present time. In view of the additional fact that those persons interested in adding to the æsthetic value of the property at that particular point are agreeahle to so handling that part of the proposition that the city will not be compelled to pay unfair or unwarranted prices for the takings that may be made, I sincerely hope that reconsideration will prevail, that the rule will be suspended and the order placed on its passage.

Coun. ATTRIDGE—Mr. President, this matter of the improving of Union Park street from Harrison avenue to Washington street is just as dear to me as it is to the gentleman from Ward 17 (Coun. Curley). I believe personally that something should he done, and done quickly, in regard to improving this section of our city. That is the district in which I reside. I think I know the conditions which exist in the South End, but at all times I have not tried to further the interests of my own section of the city to the detriment of the interests of the rest of the city. I favor the widening of Union Park street from Harrison avenue to Washington street. I believe it is necessary irrespective of the fact that the Finance Commission has sent a report to the Mayor and the City Council in reference to it, said report in a way stating that it was not a necessary improvement. My opinion, differing from that of the Finance Commission, is that it is a necessary improvement, and my opinion is backed up by the statement of the Street Commissioners that it is a necessary improvement. I desire to see the money appropriated for the widening of this street at this particular point, but I want in this Council to be fair to every member of the Council. I don't want to take an unfair advantage of any memher to-day, which I believe I might do if I wished by urging suspension of the rule. Of course, I am not reflecting on the gentleman on this side of the Chamber, but I believe that this should bc referred to the Executive Committee so as to give all the memhers of the Council a chance to look into the matter.

Coun. CURLEY—Mr. President, may I ask the gentleman to yield for a question?

Coun. ATTRIDGE—Yes.

Coun. CURLEY—I would ask the gentleman it it is not a fact that a similar order, or one calling for a loan of $75,000, has heen hefore the Committee on Finance for the hetter part of a year?

Coun. ATTRIDGE—It is true that an order has been hefore a committee of the City Council. I myself introduced an order in this City Council in regard to this particular improvement, but I understand that there are some members of this Council who dcsire to go to the South End section of the city and to look over the district. I can name two memhers of this Council who desire to inspect that street at this time. I went with the members of the Council when they made the trip through the city, I think about a year ago, with the Mayor. All the members did not go with the Mayor through Union Park street. I was one of the memhers who did. I don't want to be unfair. I want every memher of the Council to have a chance to go into that section of the city.

Coun. CURLEY—Mr. President, I would like to ask the gentleman a question. I would like to

ask, in relation to those two particular gentlemen who have not visited this particular section, if in his opinion they are not as well informed with relation to the surroundings as any member of this Council, with the possible exception of himself?

Coun. ATTRIDGE—Mr. President, I cannot answer that question as to whether they are as well informed as to the conditions as myself. I feel that I am well informed of the conditions there, but simply because I am well informed I do not take it for granted that the other members of the Council are well informed. I trust in fairness to the members of the Council that the gentleman from Ward 17 will be fair and that he will allow this order to go to the Executive Committee to-day. I have no doubt as to the final result. That is, I feel that when these members of the Council inspect that particular district they will agree with me that the widening of this street is a necessary improvement, not only from the æsthetic hut from the useful viewpoint. I trust that the gentleman from Ward 17 will withdraw his motion to reconsider and will allow the order to go to the Executive Committee.

Coun. CURLEY—Mr. President, if I felt that it was necessary that any member of the Council should have an opportunity to visit this particular point, or if I felt that there was any member of the Council who was not familiar with the conditions there, I would he willing to withdraw; but in view of the fact that everybody is familiar with the surroundings and conditions there, I see no reason why I should withdraw my motion for reconsideration of the reference. I feel on this matter, as I have felt on some other matters, that the members of the Council are not altogether guided hy their own opinions as to what is right and just in the matter, hut desire to he governed by the recommendation or viewpoint of some other person. I accordingly shall insist on my motion.

Coun. KENNY—Mr. President, let us assume for a moment that this is a very meritorious proposition. Even so, why should we take it up the very first day the order comes in and passes to its first reading? It is unprecedented, it is absurd, it is ludicrous on the face of it, that we should take a proposition involving $75,000 and start it on its way to becoming a law within ten minutes after it gets to us. I think my friend from Ward 9 (Coun. Attridge) has stated what is exactly so, that this is a matter that should be referred to the committee and, after due and proper consideration, should he reported hack here like any other matter. $75,000! What is $75,000? I trust that the motion to reconsider will not prevail.

Coun. CURLEY—Mr. President, the gentleman's position on this matter suggests to my mind a story told of Chauncy Depew when visiting Scotland—and I say this without any intent to slight my friend on the other side of the Chamber. He had not visited Scotland before for five years, and as the ship was pulling in to the dock it was apparent that there was something ridiculous, ludicrous, amusing, affecting the men on the dock. They all hegan to laugh. Mr. Depew's friend said to him, "See all those men on the dock laughing. I wonder what it is all ahout?" "Oh," said Mr. Depew, "I was over here ahout five years ago and told a joke, and they just see the point." Now, if this were the first time that the matter was up for consideration by this Board I feel perhaps that my position would he an extreme one to take upon it, hut the fact is that it is not the first time that it has heen up. It has heen up for a number of years; it has heen hefore the committee of which the gentleman on the other side of the Chamher is chairman for some six or seven months; the Finance Commission has investigated into the merits of the proposition, and have made a recommendation which in all prohability has heen read hy every memher of the Council. So in no sense is it a new proposition. It may perhaps he an old proposition with a new suit of clothes, but it is an old proposition, the widening of Union Park street. The only question that calls for a difference of opinion here is whether it shall be widened out of the Reserve Fund or shall he taken up under an order referred to the Committee on Finance and provided for by loan. I tried to agree with my friend on the other side of the Chamher on the merits of a proposition appropriating $296,000 for the City Hospital. He was perfectly willing to favor the proposition if it came out of the Reserve Fund, but did not helieve it should come out of a loan. Now, here is a proposition that should just appeal to him. It will come out of the Reserve Fund, and I cannot understand why he takes an opposite position on this matter to the position he has so consistently pursued from the beginning. The fact remains that, if what my friend on the left says is true, it is a meritorious proposition. He has no douht that it will he finally considered favorably by the Council. Why delay? Why not dispose of it now? If it is meritorious and we are to pass it eventually, why not consider it now and dispose of it? That is sound reasoning, at least from my viewpoint, and I helieve it hears out the argument of the gentleman himself.

Coun. ATTRIDGE—Mr. President, if the gentleman will yield for a moment, would the gentleman allow memhers of the Board time to visit the district and inspect the property to be taken, if some members have not had an opportunity up to the present time to do so and have not done so?

Coun. CURLEY—Mr. President, I have no desire to prevent any memher ohtaining proper information hefore voting upon any matter. I don't helieve there is a memher of this Board who is not posted in regard to this matter. That is my position. If I felt that there was any memher of the Board who was not familiar with the surroundings there I would be perfectly agreeable to further delay. But I am quite sure that my friend on the other side of the Chamber is as familiar with the locality as I am. The councilor on my right says he has visited it, the councilor on my left has visited it, and Coun. Attridge lives in the district. I have frequented the district some lately, perhaps to my own disadvantage; Coun. McDonald is familiar with the district; Coun. Ballantyne has huilt houses in that particular section; and Coun. Smith, of course, heing a real estate hroker, is familiar with conditions all over the city. Coun. Collins, I believe, was christened in that particular parish. So every memher of the Board, as far as that goes, is familiar with the situation, and I don't see what is to be gained by further delay upon the proposition. We are all familiar with it. We all recognize the fact that it is a meritorious proposition, that it is a matter which, both from the æsthetic and the useful standpoint, has a great dcal of merit. We also recognize the fact that there is a possihility that construction of a different character from that which ohtains there at the present time may come into vogue, and that a few years from now, instead of having this improvement for $75,000, the city may he compelled to spend $300,000 or $400,000. We are also familiar with the fact that the same condition obtains with reference to this street widening as obtains in relation to the widening of Dorchester street—that certain strong, honest, puhlic-spirited characters have interposed themselves into the matter of the street widening, so that the city shall not be obliged to spend one dollar more than is honestly necessary. We all know that these conditions obtain at the present time and that this is not a case where the city is to he fleeced out of any money, hut that the city's rights are to he protected and that the rights of an element in the community deserving of consideration are to he considered as well. I think, all things considered, that the city would henefit hy immediate action on the proposition, and I trust that we will have such action.

Coun. KENNY—Mr. President, the gentleman who has just taken his seat constructs a straw character of some kind and immediately proceeds to knock him down. I have not stated or undertaken to suggest how anybody was going to vote on the proposition, or whether according to my idea it should come out of loan or appropriation. I have studiously avoided anything of the sort. Still, in such cases, as all of us know, the gentleman does not hesitate to use such language as would lead one not knowing the facts to infer that I was opposing the proposition. I have said nothing ahout the proposition, except that it should he treated as a husiness matter, with a proper regard that decency requires; that this Council ought not to take a recommendation for the appropriation of $75,000 and pass upon it within ten or fifteen minutes after it comes in here. I think this is a matter that should take its course properly, should he referred to a committee and taken up calmly and impassionately, examined into and reported upon hy this Board. That is all I have argued for.

Coun. HALE—Mr. President, my friend from Ward 17 in his speech said that I had been to that neighborhood as often as he had.

Coun. CURLEY—No, I said you had heen there.

Coun. HALE—I would like to have the stenographer read what you said. (The stenographer referred to his notes.)

Coun. HALE—I think you will find on closer examination that he said I had been in that neighborhood as often as he had. Coun. Curley I suppose, like his great predecessor in the town of Washington, George Washington, cannot tell a lie. I have been there once, making a hurried visit. Therefore Coun. Curley has been there but once, making a hurried visit. I don't think anybody who has been there once hurriedly can vote intelligently upon the matter. Therefore I think Coun. Curley on his own admission is not competent to vote upon this matter yet. I think we all ought to have time to look into it further and find out just what the situation is, as Coun. Kenny says. I don't know whether I shall vote for or against it, but I want an opportunity to examine into the matter carefully and find out.

The motion to reconsider the reference was declared lost. Coun. CURLEY doubted the vote and asked for the yeas and nays. The motion was lost, yeas 2, nays 7, Coun. Buckley and Curley voting yea.

The order stood referred to the Executive Committee.

PLEASANT STREET WIDENING.

The following was received:

City of Boston,
Office of the Mayor, September 29, 1911.

To the City Council:

I transmit herewith a petition signed by many leading merchants and representatives of business houses, asking that the city accept chapter 591 of the Acts of 1911, a copy of which is attached herewith, which provides for the widening of Pleasant street from Washington street to Eliot street at Park square. This measure seems to me to make possible one of the most important street improvements that have been urged in recent years. With Pleasant street, now a narrow and crooked thoroughfare, widened to a width of 60 feet, easy connections could be made between South Boston and the business district through the subway, as well as with the West End, Cambridge and the Back Bay. It is one of those street improvements which seem predestined and as the buildings along the route are now old and the damages to be paid would in consequence be comparatively light, there is little wisdom in postponing it to a time when the benefits will be no greater or more obvious, while the cost will certainly be increased.

In bringing before your honorable body this important act of the Legislature I feel it my duty to notify you that a small parcel of real estate which would be taken in the course of the improvement is owned by one of my brothers. I have considered this feature carefully but the profit, if any, to a member of my family is so small and the improvement is so necessary that I do not feel that such a personal consideration should deter me from following what seems to be the plain path of duty. The improvement is one of wide and far-reaching influence upon the prosperity of the city. It involves the careful consideration of many financial factors and I recommend that your honorable body take up the study of the question with a view to appropriate action at the proper time.

Respectfully,
JOHN F. FITZGERALD, Mayor.

(A copy of chapter 591 of the Acts of 1911 was transmitted with the message.)

(Petitions for the widening of Pleasant street were also annexed, the same being signed by many people.)

Ordered printed and referred to the Executive Committee.

COST OF RETIREMENTS.

The following was received:

City of Boston,
Office of the Mayor, October 2, 1911.

To the City Council:

I beg to submit a statement from the City Auditor in reply to a request transmitted by me in accordance with the vote of your honorable body at the meeting of May 22, 1911, to the effect that "the City Auditor be requested, through his Honor the Mayor, to submit to the City Council a statement as to the amount of money it will cost the city yearly if chapter 619 of the Acts of 1910, as amended by chapter 338 of the Acts of 1911, is accepted by the city and retirements made in the various departments."

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Auditing Department,
September 30, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—In reply to the order of the City Council "That the City Auditor be requested, through his Honor the Mayor, to submit to the City Council a statement as to the amount of money it will cost the city yearly if chapter 619 of the Acts of 1910, as amended by chapter 338 of the Acts of 1911, is accepted by the city and retirements made in the various departments," would state that a special committee appointed by your Honor made a comprehensive report on this matter last year, giving estimates on different basis for the first and sixth years. (See City Document No. 155 of 1910, a copy of which is inclosed.) This report seems to be as good an estimate as can be made at this time.

Respectfully,
J. ALFRED MITCHELL, City Auditor.

Referred to the Executive Committee.

RETIREMENT OF LABORERS.

The following was received:

City of Boston,
Office of the Mayor, September 29, 1911.

To the City Council:

In compliance with your request, contained in an order passed at the meeting of September 11, I transmit herewith a copy of the circular sent to the heads of city departments requesting information in regard to the operation of the provisions of chapter 413 of the Acts of 1911, entitled "An Act Relative to the Retirement Fund for Laborers Employed by the City of Boston," with replies received from the heads of various departments. Further information upon this subject will be transmitted to your honorable body as it is received by me.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Annexed were communications from the different departments as follows:

Art Commission, no employees; Assessing Department, none; Auditing Department, none; Boston Infirmary Department, none; Building Department, none; Cemetery Department, four; Children's Institutions Department, none; City Clerk Department, none; Election Commissioners Department, none; Fire Department, eight; City Hospital, none; Institutions Registration Department, none; Law Department, none; Library Department, none; Market Department, one; Overseers of the Poor, none; Penal Institutions Department, none; Printing Department, none; Public Buildings Department, none; Public Grounds Department, none; Public Works Department, laborers 165, mechanics 33; Schoolhouse Department, none; Soldiers' Relief Department, none; Street Laying-Out Department, none; Supply Department, none; City Treasurer's office, none; Wire Department, none.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named:

Claims.

Mrs. Flora Walton *et al.*, for compensation for damages caused by the bursting of a Fire Department hose.

William F. Hollander, to be paid for damages to clothing of his child Helen, while she was a passenger on a ferryboat.

Willard Welsh, offering to surrender an alleged invalid tax deed of estate on west side of Winship street.

Mrs. J. E. Dodge, for compensation for damages at No. 1 Ringgold street by breaking of water main in Waltham street.

Mrs. Catherine Ryan, for compensation for damage by flooding at 1284 Dorchester avenue.
Frank M. Leonard *et al.*, for compensation for damages by overflow of sewer at 12–14–17–19 Union avenue.
Aaron White, for compensation for damage to property at 329 Blue Hill avenue by overflow of sewage.
Thomas J. Boles, for compensation for damages caused by stoppage of drain at 76 Mayfield street.
Gabriel S. Maria, to be paid for damages to property at 48 Webster street, by overflow of sewer.
Mrs. Hannah A. Brady, for compensation for damages to property at 24 Wakullah street, by overflow of sewer.
Lord & Webster Company, for compensation for damage to horse by the entrance to a catch-basin at 250 Commercial street.

Executive.

Petitions for licenses to sell, rent or lease firearms, viz.:
W. C. Miner Company, 117 Federal street, Ward 7.
Myer Goldman, 904 Washington street, Ward 9.

Petitions for sidewalks, as follows:

(Brick.)

J. A. Allen, 327 East Third street, Ward 14.
Josephine E. Adams, 120 School street, Ward 23.
Thomas T. Goodale *et al.*, trustees, corner Ashmont street and Dorchester avenue, Ward 24.

(Artificial Stone with Granite Edgestone.)

John J. Johnston, Jr., 11 Norway street, Ward 10.
W. H. Humphrey, 260 Beacon street, Ward 11.
Thomas J. O'Grady, 35–37 Woodcliff street. Ward 16.
Nicholas Petitti, 205–207 Adams street, Ward 20.
Arthur N. Douse, 89 and 93 Draper street, Ward 20.
Marks Harris, 74–78 Kingsdale street, Ward 20.
John Potter, 157 Pleasant street, Ward 20.
Henry A. Brebaut, 39 and 43 Topliff street, Ward 20.
Joseph Goldstein, 153 Crawford street and Hollander street, Ward 21.
Samuel Canner, 55 Hollander street, Ward 21.
Elizabeth Frost, 86 Brown avenue, Ward 23.
Raze Weiss, 176–182 Belgrade avenue, Ward 23.
Fred J. Rockwell, 1187–1195 Blue Hill avenue, Ward 20.
Jacob Goldman, 62–66 Dix street, Ward 24.
Estelle L. Hall, Sanford street, corner Temple street, Ward 24.
George W. Johnson, 1926–1930 Beacon street, Ward 25.
Edison Electric Illuminating Company, 21 Scotia street, Ward 10.
Catherine Genter *et al.*, Guilford street, Ward 25.
Walter H. Kelley *et al.*, Hecla street, Ward 20.
Jerome Sacco, Leyden street, Ward 1.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses for twenty-three newsboys, two bootblacks and one vendor—recommending the granting of said licenses.
Report accepted; licenses granted on usual conditions.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted by the Secretary of the Commonwealth were received.
Placed on file.

NOTICES OF HEARINGS.

Notice was received from the Board of Railroad Commissioners of hearing on petition of East Boston Marginal Freight Railroad Company for location.
Notice was received from the Board of Railroad Commissioners of hearing on petitions of West End Street Railway Company for approval of 357th, 358th, 359th, 360th, 361st, 362d and 363d locations.
Notice was received from the Board of Railroad Commissioners of hearing on petition of Boston Elevated Railway Company for approval of proposed changes at Forest Hills Station.
Placed on file.
Notice was received from the Board of Railroad Commissioners of hearing on petition for approval of tunnel route.
Referred to the Executive Committee.

NOTICE CONCERNING CONTRACT.

Notice was received from Fred S. Gore, Penal Institutions Commissioner, of his interest in contract with the city for resurfacing of certain streets.
Placed on file.

RAILROAD POLICE.

Notice was received from the Boston & Maine Railroad that Harlan C. Ashley and others were no longer employed as railroad police officers.
Notice was received from the New York, New Haven & Hartford Railroad Company that John T. McGovern and Patrick W. McGovern were no longer employed as railroad police officers.
Notice was received from the Police Commissioner of appointment of John B. Hartnett as railroad police officer by the New York, New Haven & Hartford Railroad Company.
Notice was received from the Police Commissioner of the employment of William L. Auger and others as railroad police officers by the Boston & Maine Railroad Company.
Placed on file.

STORAGE OF EXPLOSIVES.

Notice was received that the hereinafter named parties stored oils, etc., at the following locations and of intention to use said locations for the ensuing year, viz.:
Burbank & Ryder Varnish Company, 62 Alford street, Ward 4.
John M. E. Morrill, 156 Centre street, Ward 20.
Isaac Cohen, 36 Dover street.
J. Hiram Smith, 7 Edgewood street.
Placed on file.

CONFIRMATION OF APPOINTMENTS.

The President called up Nos. 1 and 2, unfinished business, viz.:
1. Action on appointments submitted by the Mayor September 18 of Henry W. Cowles and Dominic Dineen to be Constables for the term ending April 30, 1912.
2. Action on appointments submitted by the Mayor September 18, viz.: John Connors and Thomas Hughes, to be Weighers of Coal; Charles I. Albee, George H. Battis, James Buckley, Pearl L. Slocomb and Maud P. Flinn, to be Weighers of Coal and Measures of Wood and Bark; S. Everett Giles, to be an Inspector of Pressed or Bundled Hay and Straw and a Measurer of Grain; all for the term ending April 30, 1912.
The question came on confirmation. Committee—Coun. Curley and Ballantyne. Whole number of ballots cast 9, yeas 9, and the several appointments were confirmed.

CONSTRUCTION OF SEWERAGE WORKS.

The President called up No. 3, unfinished business, viz.:
3. Ordered, That in addition to the three hundred and ninety-five thousand dollars ($395,000) heretofore appropriated, the sum of five thousand dollars be appropriated for the construction of sewerage works within the watershed of the Charles River Basin, under the provisions of chapter 485 of the Acts of 1907 and chapter 612 of the Acts of 1911, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds of the City of Boston to said amount for said purpose.
On September 11 the foregoing order was read once and passed, yeas 8, nays 0.
The order was given its final reading and passed, yeas 9, nays 0.

PUBLIC LANDS.

Coun. SMITH, for the Committee on Puhlic Lands, submitted a report on report and order, protests, etc. (referred September 18), concerning sale of land on Commonwealth avenue, corner Chestnut Hill avenue, Ward 25, by the Park Department—that the order ought not to pass and that the papers be placed on file.

The question came on accepting the report and rejecting the order.

Coun. SMITH—Mr. President, this order has given the Committee on Public Lands some thought. We have all of us, I think, heen out there twice, and the matter has been carefully considered. The land in question was hought hy the city in 1866. In 1896 it was transferred to the Park Department, at the time the reservoir was made at Chestnut Hill and Commonwealth avenue was extended. This cut-off hy Commonwealth avenue lies at the corner of Commonwealth avenue and Chestnut Hill avenue. It is not apparently a part of the Park Department's property. Anyhody going out to that neighhorhood would be in douht whether it belonged to the park or was simply a building lot that was vacant. When I first took the matter up personally I was very much in favor of selling it, especially as the Park Department had requested it and we in the Council here are apt to agree in the recommendations of any department, it heing an administrative matter. But we held a hearing on the matter and some thirty property owners in the vicinity appeared and brought forward certain reasons why it ought not to he sold. There were several reasons, hut the one that appealed to me most was the fact that the adjoining property had heen taxed more because it was adjoining park property. The City of Boston had been receiving an increased amount of money for some years from the surrounding property. While we all know that the Park Department may make a recommendation that land he occupied hy the city for park purposes, nevertheless no precedent exists in the Park Department for selling land, and certain gentlemen were induced by that fact to huild houses adjoining this piece of land. They built expensive houses; they located them near to the houndary, off the center of their own land and near the boundary of this park land. They faced them in such a way as to get a view of the reservoir and the surrounding park, and the city really, through its past action in regard to parks and this piece of land, induced them to huild in that manner. The city is getting taxes on a greater amount of property than it otherwise would get, on that account. It seems to me, under these circumstances, while the Park Department may not have any particular use for this land while it is cut off from the rest of the park, nevertheless the city is hound to recognize a certain moral duty and keep this land for future purposes. My attitude is not to keep it indefinitely. The surrounding property owners have put restrictions on their land which expire in 1925. When those restrictions expire it seems to me that the city would he free to sell. If the property owners do not look beyond 1925 for their own pieces of land, certainly they could not have been influenced heyond that time in regard to the surrounding land. In making this recommendation, as chairman of the committee, I personally hope the matter will be hrought up in 1925. The Park Department then will feel free to deal with the matter as it sees fit. But at the present time I feel that we owe a duty to the people there not to disturb this land.

On motion of Coun. BUCKLEY further consideration of the matter was assigned to the next meeting.

ORDINANCES.

Coun. McDONALD, for the Committee on Ordinances, submitted a report on proposed ordinance (referred April 24) concerning the height of memhers of the Fire Department—recommending the passage of the ordinance in the following new draft:

City of Boston.

In the Year Nineteen Hundred and Eleven.

An Ordinance Concerning Memhers of the Fire Department.

Be it ordained by the City Council of Boston, as follows:

Any person five feet six inches or more in height nd weighing not less than one hundred and thirty pounds shall be eligible for appointment as a member of the Fire Department of the City of Boston, provided that such person meets the other requirements necessary for such appointment.

The question came on accepting the report.

Coun. KENNY—Mr. President, I move that that report be recommitted to the Committee on Ordinances and that they be directed to obtain from the Corporation Counsel an opinion as to whether or not it is necessary for this Council to accept the provisions of that act.

Coun. CURLEY—Mr. President, I trust that that motion will not prevail. The question of the adoption of an order along the lines outlined in the statute enactment of this year has been hefore the Committee on Ordinances for several months. At no time during that period was the question of consulting the Corporation Counsel thought of by any member, or at least suggested by any member. Apparently the only reason for delay is the desire to afford an opportunity for those men who by the will of the Almighty are less than 5 feet 7 in height to have the same opportunity as those who hy the will of the Aimighty are ahove 5 feet 7 in height. Now, it would be rather hard to contemplate what the history of civilization and the history of the world might be if the world's progress depended entirely upon men ahove 5 fect 7 inches in height. We had a visitor to this country recently who stood less than 5 feet in height — who, as a matter of fact is but 4 feet 8 in height — and who was hailed as the higgest man of his country, in spite of the fact that he was not 5 feet in height. I refer to Admiral Togo, the Japanese naval hero. We have had an ohject lesson in regard to the relative valor and capacity of tall and short men in the war between Japan and Russia. The Japanese, who rarely exceed 5 feet in height, found no difficulty in disposing of the Russians, the majority of whom are above 6 feet in height. General Grant, the greatest hero produced hy the Civil War, was not of sufficient height to hecome a memher of our Fire Department, if certain members of the City Council had the decision in the matter, and yet no man will gainsay that, although General Grant was hut 5 feet 2 inches in height, he was the greatest general of the Civil War. Napoleon Bonaparte, perhaps the greatest character in European history, was only 4 feet 10 inches in height. The present chief executive of our city is not above 5 feet 7 inches in height, and if there were a height qualification of 5 feet 10 inches for Mayor of Boston John F. Fitzgerald would not he eligihle. It is all very well to interfere with the rulings of divine providence, but I have always been led to helieve that the Civil Service Commission existed for the purpose of furnishing the various national, state and city departments with men of a high standard, and if a short man can take the examination and the necessary mental and physical tests, receiving a position upon the civil service list that places him near the top, above men taller than he is, if he is in every way eligihle for the duties of the service I helieve he is entitled to the position. If the standard referred to were in vogue during the past twenty-five or thirty years the city would he deprived of the services in the department of men who have rendered the ablest and best service. Chief Grady is less than 5 feet 5 inches in height; Keyes, I believe, is but 5 feet 6 inches. I don't feel that it would come with good grace from Coun. McDonald or myself, men who are not legal lights, or from Coun. Ballantyne, not quite a legal light, to ask an opinion of the Corporation Counsel on a matter of law that is just as plain as the A B C's in the ordinary school book. I think the law is so plain that all of us can understand it. I do not believe the purpose of the motion is to get a legal opinion hy which the board may be guided. Rather is the purpose to secure delay, that pressure may be brought on someone to perhaps get them to break away from the action that was taken in the committee. I don't want to take up the time of the Council. I only want to emphasize the fact that there are certain contingencies in which short men are more valuable than tall men. A short man, as a rule, possesses greater agility, energy, activity, and in nine cases out of ten greater courage than a tall man — and I say that although I am above 5 feet 7 inches in height myself. I say that was never more fittingly shown than in the campaign with General Grant, in the campaign of Bonaparte, in the campaign of the Japanese against the Russians. If height were the standard of fitness hy which the outcome were to be determined, the Russians would have overwhelmed the Japanese,

but the Japanese, although short men, proved their worth in every critical situation in which they were placed. The largest business corporation we have here, the Boston Elevated Railway Company, makes a standard of 5 feet 4 inches for its conductors, and the height for motormen, I believe, is 5 feet 6 inches. At any rate, 5 feet 4 inches is the height standard for conductors, and if men 5 feet 4 inches in height are considered proper men hy that corporation to run that husiness, I see no reason why a man 5 feet 6 inches in height is not up to a reasonahle and fair standard for the Fire Department. I hope the ordinance as reported by the Committee on Ordinances will be adopted.

Coun. KENNY—Mr. President, it is not a question of 5 feet 6 or 5 feet 7 or 5 feet 8 at the present time, and I don't quite see what the occasion is for this long continued argument in regard to the desirahility of having men of 5 feet 5 or 7 inches in height, from the gentleman on the other side. My motion was that the matter be referred to the Corporation Counsel, that we might be advised what our legal rights are under this act. I have very serious douhts myself whether the Council should take any action along this line, and as a consequence of that I should he very content to allow it to rest in that way, allowing the matter to remain where it properly helongs, in the hands of the appointing power, in the hands of the Fire Commissioner. He is the head of the department. He has the responsihilities which go with the administration of the office. He will be either a success or otherwise according to the manner in which he runs his department, and I think this is a matter that should he left entirely under his control and within his discretion and direction. I have a very set opinion on that, and it would take some considerahle argument even from the gentleman from Ward 17 on the other side to convince me that my position is wrong—and then I don't admit that he would convince me. I hope that my motion will pass. If it does, and the Corporation Counsel rules that this is not a matter with which the City Council need necessarily involve, or trouhle itself to take up, then I shall expect the commissioner, whoever he might he now or in the years to come, to select the men he considers of the proper weight and height. I do not say that a man should he 5 feet 6 or 5 feet 7 or 5 feet 8, although as a matter of fact, taking the tables of the largest cities in the country and comparing them, I think you will find only one or two instances where the height drops below 5 feet 7 inches. In New York, St. Louis, Chicago and other large cities the requirement is either 5 feet 7 inches or ahove. I don't say the height should he 5 feet 5, 6 or 7 at this time. I do say that it is a matter that I am willing, as a memher of the Council, to leave at the discretion of the appointing power, the Fire Commissioner, the man charged with the duties and responsihilities of the department, protecting the property interests of the City of Boston. I don't think the City Council should concern itself with the question. It is a matter of executive discretion on the part of the Fire Commissioner in running and looking after his department.

Coun. ATTRIDGE—Mr. President, I desire to say that I shall oppose the motion which has heen made by the gentleman on the other side of the Chamber, that the report of the committee be recommitted with a request that the Corporation Counsel suhmit an opinion. I have in my hand a book containing the acts of 1911, and the chapter in reference to the powers of the City Council is chapter 352. There are just a little over three lines in that act. The act, in my opinion, is very plain and can be easily comprehended. It says:

'No regulations concerning the height or weight of persons who shall be eligihle to become memhers of the fire department in any city or town shall he made or enforced except by the city council of the city or by the selectmen of the town."

According to that the Fire Commissioner himself has no right under the law to make any regulations governing the height and weight of firemen. This act, passed hy this year's Legislature, gives the right to the city councils of the various cities and the hoards of selectmen of the various towns. The act is not, in my opinion, an intricate act. It is an act of but three or four lines, less than four lines, and it is very plain. It says that no regulation shall be made or enforced except by the City Council. I personally don't want to interfere with the department as conducted hy Fire Commissioner Daly. I don't want to he charged with trying to interfere with the conduct of the department. But when the Legislature says that the City Council may make the regulations in regard to the height and weight, then I, as a member of the City Council, intend to exercise that right, that privilege, that statutory right, which is given to me as one memher of the Council, to make, if I helieve it necessary, regulations governing the height and weight of men who are candidates for the Fire Department of the city. For that reason I am going to vote against recommitting this order to the committee, and later I may have something to say as to what my opinion is as to the height and weight of candidates for the Fire Department.

Coun. McDONALD—Mr. President, I sincerely trust that this ordinance will not be recommitted to the committee. I am not a lawyer as Mr. Curley says, and I don't claim to know anything about law. But I suppose the Committee on Cities when they caused this statute to he drawn up knew what they were ahout. The chairman of the committee was a lawyer, Senator Stearns of Cambridge, and the original act that they drew up standardized the height of firemen at 5 feet 5 inches. Governor Foss refused to sign it because of the fact that he did not helieve the Legislature should interfere, as he said, with the hoards of aldermen of the cities and the selectmen of the towns in this matter. He refused to sign it unless they struck out the words "five feet five inches," and allowed it to go to the city councils and the hoards of selectmen, who were to make the standard. Now, I don't care whether it is sent to the Corporation Counsel or not. That same motion was made in committee. He cannot convince me that this statute does not give us the right to make a standard of 5 feet 5 or 5 feet 6. Personally I do not favor 5 feet 6. I think 5 feet 4 is tall enough. But we compromised, hecause there are some young men whose names have heen turned down, names that have heen before the Fire Commissioner for two years. They are 5 feet 6, and he will not appoint them because of his 5 foot 7 standard, a standard that he made himself. At the last meeting, two weeks ago, I was taken to task hecause I did not call a meeting of the committee on the height of firemen and on the huilding limits. I said that I would call a meeting hefore this meeting, and I did. Now we find that they want to recommit the matter of the height of firemen back to the committee, after taking me to task in that way two weeks ago. I am not in favor of 5 feet 6, hut I am willing to vote for that as a compromise. I am in favor of a standard of 5 feet 4 or 5 feet 5, thinking that that is just as good as 5 feet 7. But this is a compromise measure, and I hope that the ordinance as reported will he adopted and the standard set.

Coun. KENNY—Mr. President, my idea this afternoon was to get the opinion of the Corporation Counsel and not the opinions of some memhers of the committee. It is true that the statute says the Council may have the right, hut it doesn't say it shall exercise the right, and that is what I want to get at. I merely make this as a reply to the memher from Ward 9, not intending to take the time of the Council.

Coun. BALLANTYNE—Mr. President, I would like to say just a word in support of the motion made by Coun. Kenny. I am not a legal light, as Coun. Curley has said.

Coun. CURLEY—Almost, I said.

Coun. BALLANTYNE—But I can read this act, and I interpret it about the same as my friend Attridge on the other side—that the City Council has a right to make a regulation as to the height of firemen. The question that I would like the Corporation Counsel to decide, as stated by Coun. Kenny, is as to what effect it would have if this Council took no action whatever. If I read this act aright, if I understand it correctly, Fire Commissioner Daly to-day has no right to reject any man on account of height or weight. The act reads:

"No regulations concerning the height or weight of persons who shall he eligihle to become memhers of the Fire Department in any city or town shall he made or enforced except by the city council of the city or by the selectmen of the town."

If this City Council fails to make any regulation then there is no regulation, and for that reason the Fire Commissioner has no right to reject any man on these two points, height and weight. So, taking the case of a man 5 feet 4 or 5 feet 5 inches in height, going hefore the Fire Commissioner and being rejected on account of his height or weight, the Fire Commissioner is violating that law, and

I want the Corporation Counsel to give us his opinion as to whether we are compelled to make this regulation or not. If we are not compelled to make a regulation, I am in favor of leaving the matter in the hands of the Fire Commissioner and letting him select the men, and then by that law he has no right to discriminate as to height and weight of the men.

Coun. BUCKLEY—Mr. President, I dislike to take up the time of the Council talking on this matter, but I am rather surprised that Coun. Ballantyne should speak in favor of the motion, in view of the fact that in the committee he opposed it, and it was he himself who suggested 5 feet 6. It may seem that the Fire Commissioner is violating the law at the present time, but, as a matter of fact, if a man does come down there under 5 feet 7 inches in height he is rejected by the Fire Commissioner as not fit to serve in the Boston Fire Department. If the Fire Commissioner has a right to do that he certainly avails himself of that right, and to-day a young man under 5 feet 5 cannot serve in the Boston Fire Department. It seems to me the act is plain enough without having to send to the Corporation Counsel for his opinion. We sent to him before on a matter relative to the Boston Fire Department—as to whether or not we should put on fifty additional firemen—and then Coun. Kenny, after listening to his advice, totally ignored it and voted against the advice of the Corporation Counsel. I myself did the same thing. I don't believe we want the advice of the Corporation Counsel in this matter. We are sent here by the people of Boston to do what we think is right, and in matters where the law is so obscure that we want advice we are supposed to send for him and act on the advice he gives to us, believing it is right. But in this matter we are acting within our rights and the law is perfectly plain. We ought not to delay the matter, but should vote in favor of this order to-day and in favor of accepting the act.

Coun. BALLANTYNE—Mr. President, I would like to just correct my brother on the other side. He says he is very much surprised that I should support a motion of this kind. I think that Coun. Buckley was present at the meeting of the Executive Committee when I offered the motion, and Coun. Kenny advocated the passage of the motion in committee. So I don't think the councilor should be much surprised at my advocating the motion here.

Coun. BUCKLEY—I was not present at any meeting of the Executive Committee.

Coun. BALLANTYNE—I mean the Committee on Ordinances. I beg pardon.

Coun. BUCKLEY—I was present this afternoon at a meeting of the Committee on Ordinances, and Coun. Ballantyne did offer a motion, but as I remember it it was not the exact motion offered here. But Coun. Kenny very kindly put the words in Coun. Ballantyne's mouth and made the same sort of motion for him in that committee.

Coun. BALLANTYNE—Mr. President, I think Coun. Buckley ought to withdraw that statement. I made the motion, and it seemed that Coun. Buckley could not quite understand the motion I made, and Coun. Kenny tried to explain it to him.

Coun. KENNY—Mr. President, I, too, would like to correct a statement made by the member from Charlestown. He says that I totally ignored —I think those are the words, totally ignored—the opinion of the Corporation Counsel. That is not a true statement of the facts. I gave the opinion of the Corporation Counsel the utmost respect and the consideration I thought it was entitled to—and I thought it was entitled to great consideration.

Coun. BUCKLEY—Mr. President, I would like to inform the councilor that we sent for the Corporation Counsel at that particular time to know what our rights were, and after he explained what our rights were in the matter he voted directly contrary to his opinion, as the records will show.

Coun. KENNY—That is true. That I admit. But when the gentleman says that I totally ignored his opinion he is stating something that is not true. I say again that I have the utmost respect for the Corporation Counsel and his opinion. So far as I can do so I endeavor to agree with him. I found myself unable to do so in that case and I concluded that I would stand on my own opinion. But I never for a moment have ignored or shown the slightest sign of disrespect for the Corporation Counsel.

Coun. SMITH—Mr. President, as so often happens here we are descending into personalities and getting into an argument that seems to me rather beside the point. It only illustrates what I have so often said before and now repeat, that we should do most of our discussing of matters of public interest in the open Council, because we have an example here of how one man says he said one thing and another man says he said another, and there is no way to settle it because it is not reported and there are no stenographic notes to check it up. It seems to me it is a good deal better to do our talking here. As a matter of fact, I think I have the deciding vote in this matter, and I am very glad to support this amendment for this reason and only for this reason. One of the councilors desires to have an opinion of the Corporation Counsel on one point——

Coun. CURLEY—Is the gentleman aware that Coun. Hale has changed his mind since he talked with him last? Perhaps the gentleman has not the deciding vote.

Coun. SMITH—Mr. President, I was simply judging from the vote as taken in committee, which again may be fallacious. The fact remains that I am voting in support of this amendment for one reason only, and that is in deference to one of the councilors who desires the opinion of the Corporation Counsel on a certain point. I myself have no doubt whatever that Coun. Attridge is right in his reading of the act. There is no doubt in my mind that we have a right to act in the matter as we see fit. There is no question about the matter in my mind and no need of referring it to the Corporation Counsel, as I see it. But I am willing to refer it, out of deference to another councilor, and I hope the same deference will be shown to me when I ask it. I trust that I will not be met in the future as I have been in the past when I have made requests of that sort and when the same etiquette has not been shown to me. I think this is a case where I have pushed harder than anybody else. I asked for a report of the committee two weeks ago, asked the chairman of the Committee on Ordinances to call a meeting and have the matter brought up. I think I was the one who forced it to the front, without throwing bouquets at myself. But in deference to one of the councilors who desires a legal point settled, a point that seems perfectly plain to me, I will vote for the amendment. I hope, however, that the matter will be taken up and settled speedily. As so often happens I find myself at odds with the Council, because I am opposed to delay. I have been consistently opposed to putting over action on important matters that should be acted upon. But in this case I am very glad, as a matter of etiquette, to vote for the amendment.

Coun. CURLEY—Mr. President, it is very unfortunate that the legal lights on the other side of the Chamber cannot agree on the matter of the law involved in the proposition. I feel myself that the law is entirely clear and that we should not have any unnecessary delay in the matter. The fact remains that when the Committee on Ordinances met the majority were in favor of a 5 foot 6 standard, and as soon as they came into the Board, as my friend from Ward 11 on the other side of the Chamber says, the situation is changed, so that instead of being the minority champion in the Committee on Ordinances he becomes the majority champion here, and, as he says, has the deciding vote on the proposition. He objects to delay in the matter of legislation in the City Council here, and yet he sets himself up as a party to further delay. If you want to avoid further delay, Brother Smith, vote down the motion to refer to the Corporation Counsel and vote in favor of the 5 foot 6 ordinance to-day. You and Coun. Kenny and Coun. Ballantyne and everybody else have sufficient common sense to know that there isn't any knotty problem of law involved here, that the act is so plain that it is possible for me or any other layman to understand it. It is simple, does not take up more than three lines. There is no intricacy, no hidden meaning. It is just simply a plain proposition. You know that we have a right to do it. Of course, there is nothing that compels us to do it, but until such time as we do it the head of the Fire Department, with the Civil Service Commission, can appoint men of whatever height and weight he wishes, provided they agree with him on it. This simply straightens the matter out. While personally I would rather see the limit 5 feet 4 than 5 feet 6, still that is the height agreed on in the committee and is a fair, reasonable height, and I think we should pass the order in that way. The only purpose to be served by reference to the Corporation Counsel is the

purpose of additional delay. There will be no change in mind here, no additional vote. You have your minds made up to-day, and why not act on the matter now? I trust that the proposition will not be referred.

Coun. SMITH—Mr. President, the councilor who has just spoken has credited me with the motto "Do it now!" That bas been my motto consistently throughout tbe year, and I am only waiving it now out of deference to one of tbe members of this Board. I would like to have the same deference shown to me in like cases later.

Coun. CURLEY—It will not be.

Coun. SMITH—Vell, I have no doubt it will not be, and I would like to cite an instance where it was not, three weeks ago, or possibly two weeks ago, in this Board.

President COLLINS—The question comes——

Coun. SMITH—I am explaining my vote on this motion.

President COLLINS—On what motion?

Coun. SMITH—The motion before us.

President COLLINS—You can explain your vote but you cannot go into irrelative orders and other debates. If we do that we will never get tbrough.

Coun. SMITH—Thank you. I am voting in favor of this amendment out of deference to Coun. Ballantyne, who desires more information on a point wbich to most of the Council is absolutely plain. A like occasion arose tbree weeks ago in regard to Otter street. There was a doubt whether the city could sell land on Otter street, and I asked the Council to delay action until we had a chance to ask the Corporation Counsel an exactly similar question to tbe one now before us. The Council voted me down by a vote of 6 to 3, I think it was. I was simply asking delay until the Corporation Counsel could pass in the matter of selling land on Otter street; and, as it turned out, when we did ask the Corporation Counsel under guise of another motion we found that we did have the right to sell land on Otter street, and that the city could offset tbat against the extension of Arlington street. I simply cite that as an instance, not with any idea of heaping coals of fire on other people's heads. I am simply voting on this matter as I do out of courtesy to Coun. Ballantyne.

Coun. HALE—Mr. President, I am very much amused at the way we are voting here to-day. Assuming that the view of Coun. Ballantyne—almost a lawyer, as Coun. Curley says—is correct, I understand that if we don't take any action, don't pass a 5 foot 6, 5 foot 5, 5 foot 4 or 5 foot 10 regulation in regard to the height of firemen, the Fire Commissioner is unable to reject a man on account of his height or weight. Is that the point?

Coun. BALLANTYNE—My point is that the Fire Commissioner has been violating the law ever since the passage of this act by refusing to accept men because of their height or weight.

Coun. HALE—That is exactly what I thought was tbe gentleman's position. Assuming that that is true, I want to say that I agree very strongly with Coun. Ballantyne in his legal opinion. We have this situation. Tbe councilor from Ward 9, the councilor from Charlestown and the councilor from Ward 17, wbom I have always thought of as champions of small firemen, are here in favor of a motion which will make ineligible any man below 5 feet 6. Coun. McDonald has been the champion of the 5 foot 4 men, and he is here to-day in favor of action which will make them ineligible to membership in the Boston Fire Department. I tbink that is a very amusing situation.

Coun. McDONALD—Mr. President, I don't suppose that needs any reply, but just in passing I want to say that it doesn't make any difference how I vote to-day—that wbether the Corporation Counsel decides that we do not have to take any action or not, the Fire Commissioner will have to appoint the men, will have to decide, and that nobody under 5 feet 7 will be appointed by Mr. Daly. That has been his policy since the act was adopted and will be his policy, no matter what the Corporation Counsel says. So far as I am concerned I don't care what he says, because I wouldn't take his opinion anyway. I think I am able to do my own voting and am able to put a proper interpretation on that statute, and I am going to vote for a 5 foot 6 standard because of the fact that we did not have the votes—to use the words of that eminent statesman from Ward 12—to make the standard 5 feet 5 or 5 feet 4. Therefore we accepted the 5 foot 6 standard. But it does not make any difference whether we recommit it to the committee or not, as far as getting an opinion of the Corporation Counsel is concerned; that opinion will make no difference to Mr. Daly. The Corporation Counsel may send down an opinion twenty different ways, and it will take twenty other corporation counsels to interpret it after be sends it to us. I trust, whether this is recommitted or not, that the members of the Council will vote as to the standard of firemen, that is, the height of firemen, and not recommit this to the Corporation Counsel for his opinion.

Coun. SMITH—Mr. President, of course I am very sympathetic witb Coun. McDonald in this matter of delay. I hate to see this delay, and I trust that if the Corporation Counsel gives an opinion and it is sent down to us, to Mr. McDonald's committee, he will have a meeting of the committee and discuss it and act upon it at the earliest possible time. I trust that there may be no misunderstanding about that and that this matter may be acted upon at the earliest possible moment.

Coun. Kenny's motion, that the report and ordinance be recommitted to the Committee on Ordinances with instructions to obtain the opinion of the Corporation Counsel as to wbether or not it is necessary that such an ordinance should be passed, and the effect of the failure of the City Council to pass any ordinance, was declared carried by a rising vote, 5 to 4.

Coun. CURLEY doubted the vote and asked for the yeas and nays, and the motion was carried, yeas 5, nays 4:

Yeas—Coun. Ballantyne, Collins, Hale, Kenny, Smith—5. Nays—Coun. Attridge, Buckley, Curley, McDonald—4.

DISPOSAL OF GARBAGE.

Coun. McDONALD offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to inform the City Council what action has been taken by him, if any, concerning the disposal of garbage.

Passed.

PUBLIC HEARING, BUILDING LIMITS.

Coun. McDONALD offered an order—That the Committee on Ordinances give a public hearing on Tuesday, October 17, at two o'clock p. m., on the proposed ordinance establishing tbe building limits, and that due notice of the same be published in the daily papers.

Passed.

SALE OF ALMSHOUSE PROPERTY.

Coun. CURLEY moved No. 5 be taken from the table, viz.:

5. Ordered, That the Boston Infirmary Trustees be and hereby are authorized, with the approval of the Mayor, to sell to the Boston Elevated Railway Company for a sum not less than seventy-two thousand dollars ($72,000) the property in the Charlestown district known as the Charlestown Almshouse, with the land connected therewith, containing about 102,400 square feet, and upon such sale his Honor the Mayor is hereby authorized, in the name and behalf of tbe city, to execute a deed satisfactory to the Law Department, conveying said premises to said company for a consideration not less than seventy-two thousand dollars ($72,000), to be determined by said trustees and approved as aforesaid.

On July 17 the foregoing order was read once and passed, yeas 6, nays 0.

Coun. SMITH—Mr. President, as chairman of the Committee on Public Lands I would like to make this statement. I asked at the last meeting of the Council that this matter be postponed, for this reason, and this reason only, that in connection with the Commonwealth avenue land sale there was great difference of opinion as to the value of the land.

President COLLINS—The Chair would state to Coun. Smith that when this matter is taken from the table, if the motion prevails, it will be in order to debate it, but that until that motion prevails debate is out of order.

The motion to take from the table was lost by a rising vote, 3 to 4.

ACCEPTANCE OF BICKNELL AVENUE.

Coun. CURLEY offered an order—That the Board of Street Commissioners be requested to accept and lay out as a public street Bicknell avenue, Ward 18.

Passed.

RECESS TAKEN.

The Council voted at 5.24 p. m., on motion of Coun. ATTRIDGE, to take a recess subject to the call of the President.

The members reassembled in the Council Chamber and were called to order by the President at 6.32 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Report on notice from Board of Railroad Commissioners (referred to-day) of hearing on petition of Boston Elevated Railway Company for approval of tunnel route—that the same be placed on file.

Report accepted; paper placed on file.

(2) Report on message of Mayor, communication and order (referred to-day), for transfer of $9,000 to the Bath Department—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(3) Reports on petitions for sidewalks (severally referred to-day) recommending the passage of orders that the Commissioner of Public Works make sidewalks on the following-named streets, in front of the hereinafter named estates; said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built as specified under the provisions of chapter 437 of the Acts of 1893, viz.:

Brick.

J. A. Allen, 327 East Third street, Ward 14.
Josephine E. Adams, 120 School street, Ward 23.
Thomas T. Goodale *et al.*, trustees, corner Asbmont street and Dorchester avenue, Ward 24.

Artificial Stone with Granite Edgestone.

John J. Johnston, Jr., 11 Norway street, Ward 10.
W. H. Humphrey, 260 Beacon street, Ward 11.
Thomas J. O'Grady, 35–37 Woodcliff street, Ward 16.
Nicholas Petitti, 205–207 Adams street, Ward 20.
Arthur N. Douse, 89 and 93 Draper street, Ward 20.
Marks Harris, 74–78 Kingsdale street, Ward 20.
John Potter, 157 Pleasant street, Ward 20.
Henry A. Brehaut, 39 and 43 Topliff street, Ward 20.
Joseph Goldstein, 153 Crawford street and Hollander street, Ward 21.
Samuel Canner, 55 Hollander street, Ward 21.
Elizabeth Frost, 86 Brown avenue, Ward 23.
Raze Weiss, 176–182 Belgrade avenue, Ward 23.
Fred J. Rockwell, 1187–1195 Blue Hill avenue, Ward 20.
Jacob Goldman, 62–66 Dix street, Ward 24.
Estelle L. Hall, Sanford street, corner Temple street, Ward 24.
George W. Johnston, 1926–1930 Beacon street, Ward 25.
Edison Electric Illuminating Company, 21 Scotia street, Ward 10.

Gravel.

Jerome Sacco, Leyden street, Ward 1.
Catherine Genter *et al.*, Guilford street, Ward 25.
Reports accepted; orders passed.

(4) Report on order (referred September 18) for sidewalk on Ashmont street, Ward 24—that the order ought to pass.

Report accepted, order passed.

(5) Report on petition of Walter H. Kelley *et al.* (referred to-day) for sidewalk on Heela street, Ward 20—recommending the passage of order for artificial stone sidewalk on said street.

Report accepted; order passed.

(6) Report on petition of John J. McKenna *et al.* (referred September 11) for sidewalks on Lyons street, Ward 20—recommending the passage of order for gravel sidewalk on said street, both sides.

Report accepted; order passed.

(7) Reports on petitions (referred to-day) for licenses to sell, rent or lease firearms—recommending that licenses be granted as follows:

W. C. Miner Company, 117 Federal street, Ward 7.
Myer Goldman, 904 Washington street, Ward 9.

Reports accepted; licenses granted on usual conditions.

GENERAL RECONSIDERATION.

Coun. BALLANTYNE moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 6.35 o'clock p. m., to meet on Monday, October 9, at three o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 9, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair and all the members present.

The Council voted, on motion of Coun. BUCKLEY, to dispense with the reading of the records of the last meeting.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments:

(1) David Schapero (97 Woodcliff street, Ward 16), a Constable of the City of Boston for the term ending April 30, 1912.

(2) Raymond C. Dinsmore (37 West Tremlett street, Ward 20), a Weigher of Coal for the term ending April 30, 1912.

Laid over under the law.

AMENDMENTS TO REVISED LAWS.

The following was received:

City of Boston,
Office of the Mayor, October 9, 1911.

To the City Council:

For the reasons given in the letter of the Corporation Counsel written under date of October 9, 1911. which is attached hereto, I beg to recommend the passage of the accompanying ordinance which amends certain sections of chapter 47 of the Revised Laws of 1898 by striking out the words "Superintendent of Streets and Water Commissioner" and inserting in place thereof the words "Commissioner of Public Works," and by striking out the word "aldermen" and inserting in place thereof the words "Street Commissioners."

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

October 9, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Some difficulties have arisen in court concerning the enforcement of the prohibitions and penalties contained in chapter 47 of the Revised Ordinances on account of the fact that said chapter has not been changed to conform to the charter amendment giving the street commissioners jurisdiction over constructions in the streets, and the ordinance creating the Department of Public Works. Although the objections are somewhat fanciful, in my opinion, owing to section 7 of chapter 219 of the Revised Laws, yet it is plain that the chapter should be amended.

I inclose draft of an ordinance making the necessary changes.

Yours respectfully,
THOMAS M. BABSON,
Corporation Counsel.

—

An Ordinance.

Amending Chapter 47 of the Revised Ordinances of 1898.

Be it ordained by the City Council of Boston, as follows:

Section 1. Sections 30, 33, 35, 36, 37, 44, 46, 53, 55, 57 and 104 of chapter 47 of the Revised Ordinances of 1898 are hereby amended by striking out the words "superintendent of streets" in said sections and inserting in place thereof the words "commissioner of public works."

Sect. 2. Sections 69, 70, 72 and 73 of said chapter are hereby amended by striking out the words "water commissioner" in said sections and inserting in place thereof the words "commissioner of public works."

Sect. 3. Sections 40, 56 and 89 of said chapter are hereby amended by striking out the word "aldermen" in said sections and inserting in place thereof the words "street commissioners."

Referred to the Committee on Ordinances.

INVESTIGATION OF BUILDING DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, October 4, 1911.

To the City Council:

In reply to the order passed by your honorable body at its meeting of September 18, to the effect that "his Honor the Mayor be requested to investigate the conduct of the Building Department as per charges of Local Union No. 175 of the U. A. Journeymen Plumbers, Gas Fitters, Steam Fitters, and Steam Fitters' Helpers, hereto annexed," I beg to inclose a letter received from the Building Commissioner in reply to a communication from my secretary, together with copies of a second communication to the Building Commissioner and a letter to the Boston Finance Commission, referring the subject to that body for attention.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Office of the Mayor, October 4, 1911.

Boston Finance Commission:

Gentlemen,—The City Council at its meeting of September 18 passed the following order:

"That his Honor the Mayor be requested to investigate the conduct of the Building Department as per charges of Local Union No. 175 of U. A., Journeymen Plumbers, Gas Fitters, Steam Fitters and Steam Fitters' Helpers, hereto annexed."

The letter referred to, which is inclosed herewith, was forwarded by me, through my secretary, to the Building Commissioner, who has made a report, a copy of which is inclosed. The subject seems to me one which may require a more complete investigation than that which the Building Commissioner has been able to make, and I respectfully ask your commission to include it among the matters of public interest to which you are giving attention.

Yours very truly,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Office of the Mayor, October 4, 1911.

Mr. Arthur G. Everett,
Building Commissioner:

Dear Sir,—Your letter of September 28, addressed to his Honor Mayor Fitzgerald, has been received, and I am directed to say that his Honor would like a specific report from you upon the conditions described at particular premises in the letter of A. Mason, Recording Secretary of Local 175, U. A., A. F. of L. His Honor has directed me to forward this communication and the request of the City Council for an investigation of the Building Department to the Boston Finance Commission for action by that body.

Yours very truly,
WILLIAM A. LEAHY, Secretary.

—

City of Boston,
Building Department, September 28, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—I am in receipt of a letter from Mr. William A. Leahy, accompanied by an order of the City Council and a communication from Local Union No. 175 of the United Association of Journeymen Plumbers, Gas Fitters, Steam Fitters and Steam Fitters' Helpers.

I have had several personal interviews with representatives of this organization and expressed to them a willingness and desire on the part of this department to suppress illegal work of the kind complained of.

We have visited places where it was said work was being done by unlicensed men or boys, but have been unable to find them at work, even when taking the precaution to send inspectors from other divisions than the gas division that the inspector might not be recognized.

TRADES UNION LABEL COUNCIL BOSTON MASS

Under date of September 18, 1911, I wrote the recording secretary of Local Union No. 175, in reply to a communication from him, the following letter:

City of Boston,
Building Department, September 28, 1911.
Mr. A. Mason, Recording Secretary,
Local Union No. 175,
24 Dana street, Roxbury:

Dear Sir,—Yours of September 16, is at hand. This department will undertake the prosecution of any person violating the law by working at gasfitting without a license upon the presentation of sufficient evidence. We have found it difficult to secure the evidence needed in several cases reported to us.

Yours respectfully,
ARTHUR G. EVERETT,
Building Commissioner.

I think it quite probable that, because the members of this department are well known, our efforts to secure evidence of illegal work have been fruitless, and I shall be glad to undertake the prosecution of any person performing work in violation of law when evidence that will lead to conviction is placed in my possession.

Yours respectfully,
ARTHUR G. EVERETT,
Building Commissioner.

Placed on file.

DISPOSAL OF GARBAGE.

The following was received:

City of Boston,
Office of the Mayor, October 9, 1911.

To the City Council:

In reply to your request conveyed by me to the Commissioner of Public Works that he inform the City Council "what action has been taken by him, if any, concerning the disposal of garbage," I transmit herewith his report on the question, dated October 9, 1911.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Works Department,
City Hall, October 9, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

With regard to the attached order of the City Council, requesting the Commissioner of Public Works, through his Honor the Mayor, to inform the City Council what action has been taken by him, if any, concerning the disposal of garbage, I respectfully submit the following information:

In response to an invitation by the Superintendent of Streets to submit proposals for removing refuse, which were opened on October 17, 1910, one bid only was received, that of J. F. Beedle. This bid was rejected. (See City Document No. 52, 1911.) Later, the Boston Disposal Company was organized and submitted a proposal for removal of refuse. This proposal was submitted to the City Council by the Mayor under date of March 13, 1911. (See *City Record*, issue of March 25.) This proposal was not accepted. On April 24, 1911, on invitation of the Commissioner of Public Works, advertised in the *City Record*, ten bids were submitted for the disposal of refuse collected by the Public Works Department, with the exception of the West Roxbury and East Boston districts, for a term of ten years from January 1, 1912. The bidders submitted their own proposals, together with proposed methods of disposal. After analysis and comparison all the bids were rejected. (See Document 82, 1911.) In a communication to the City Council, dated December 15, 1910, the Mayor asked for an appropriation of $75,000 for an incinerator in Brighton. (City Council Records, 1910, page 396.) The Faneuil Improvement Society offered objections to the erection of an incinerator in Brighton. (See City Council Records, 1910, page 411.) The City Council at its final meeting, January 30, 1912, referred the request for an appropriation to the next City Council, and so far as this department is informed, no action has been taken by the present Council on the subject referred. I would again request that this appropriation be granted, and that we be allowed to proceed with the construction of an incinerator to take care of the refuse of the Brighton district.

After several conferences with his Honor the Mayor, the members of the Finance Commission and members of the Chamber of Commerce, specifications have been drawn up for the disposal of refuse for the term of ten years. All of the above parties seemed to agree that in order to place the competition on an equitable basis, the city should designate and furnish the site where the final disposal plant should be built. With this end in view the Surveying Division of the Street Commissioners office is making a survey of Spectacle Island, with a view of taking the necessary land for a site by eminent domain, provided such site is found to be suitable.

Very respectfully,
L. K. ROURKE,
Commissioner of Public Works.

Referred to the Executive Committee.

PLAYGROUND, FOREST HILLS.

The following was received:

City of Boston,
Office of the Mayor, October 9, 1911.

To the City Council:

The need of a playground in the district about Forest Hills, or between Forest Hills and Jamaica Plain, where the population is growing rapidly, has been impressed upon me for some time and has been presented at the district meetings. I am advised that a suitable piece of land can be purchased for about twenty-five thousand dollars ($25,000) and recommend the passage of the accompanying order transferring this amount from the Reserve Fund to an appropriation to be expended under the direction of the Park Commissioners for a playground in Ward 23.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of twenty-five thousand dollars ($25,000) from the appropriation for Reserve Fund to an appropriation to be expended under the direction of the Park Commissioners for Playground, Ward 23.

Referred to the Executive Committee.

USE OF SCHOOL BUILDINGS.

The following was received:

City of Boston,
Office of the Mayor, October 9, 1911.

To the City Council:

In the order of business for your meeting of October 9, 1911, I find the following:

"5. Report of Executive Committee, ought not to pass the order to transfer $13,000 from the Reserve Fund to an appropriation for extended use of school buildings, to be expended by the Superintendent of Public Buildings."

This report, I presume, takes exception to the form of the order rather than to its substance. I do not believe that the City Council desires to set itself in opposition to the movement for the extended use of school buildings but prefer to assume that, like myself, it is searching for a way to overcome the technical obstacles which have arisen. Such a solution seems to be presented by the accompanying ordinance creating a department for extending and supervising the use of school buildings within the City of Boston, and I desire to submit this ordinance and the order transferring thirteen thousand dollars ($13,000) from the Reserve Fund to the department when created for consideration by your honorable body.

This action will at least focus attention upon a problem which seems to be ignored by those whose proper function, in my opinion, it is to arrange such matters. The original question was referred by me to the Finance Commission and by that body to the School Committee, which reported that it had no funds for the purpose. I then, in a letter of April 8, asked the Finance Commission to answer specifically whether as the result of their investigation of the finances of the School Department they would agree with the conclusion of the School Board. No answer was received to this inquiry and the report upon the school finances, which has just been printed, contains only a passing allusion to the subject. It is too important

and is too extensively favored by civic organizations and public-spirited citizens to be slighted in this manner and the ordinance and order which are hereby submitted for consideration at least offer one way of accomplishing the results desired.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordinance creating a department for extending and supervising the use of school buildings within the City of Boston.

Be it ordained that there is hereby created within and for the City of Boston a department for the purposes hereinafter indicated, to be known as the "Department for Extending the Use of School Buildings Within the City of Boston"; that the said department shall consist of three persons, one of whom at least shall be a woman, who shall serve each for a term of one year and who shall be appointed by the Mayor.

This department shall have power to negotiate with the School Committee a lease or leases of school buildings during school vacations and for such days and parts of days as the public schools are not in session, and this department shall have the further power to issue permits for the use of such leased school buildings for meetings of the people for general education, recreational and public purposes. Said meetings shall be under the direction and supervision of the said department, and subject to such regulations as it may make to govern the same.

The members of the said department shall serve without salary, but shall have the expenditure of whatever sums of money may be appropriated in any one year for the purpose aforesaid, and so long as any amount of said appropriation shall remain unexpended, shall report to the City Council of the said City of Boston in writing, monthly, showing the way and manner in which any sum from the said appropriation has been expended and what balance, if any, remains unexpended.

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized, with the approval of the Mayor, to transfer the sum of thirteen thousand dollars ($13,000) from the appropriation for Reserve Fund to an appropriation for the Department for Extending the Use of School Buildings Within the City of Boston.

Referred to the Committee on Ordinances.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Charles F. Engewald, to be paid for damages by the overflow of sewer at 83 Heath street, Roxbury.

American Steam Dye Works, for compensation for damages by overflow of sewer at 383 Harrison avenue.

Maurice A. Duffy, for compensation for damage to automobile by being run into by automobile of the Fire Department.

Burleigh & Martin (Inc.), for compensation for damages caused by change of grade at 200 Berkeley street.

Mrs. Joseph L. O'Brien, for compensation for damages by overflow of sewer at 20 Lauriat avenue.

William Whitney, for compensation for injuries caused by a defect in sidewalk at 363 Quincy street.

John H. Rourke, that the city release to him any title and interest it may have in lot near North Harvard street.

Mrs. E. McCraith, for compensation for damage caused by overflow of sewer at 24 Cobden street, Ward 24.

Executive.

Petitions were received for sidewalks as follows:

(Gravel with Granite Edgestones.)

Caroline Keim, 8 Auckland street, Ward 20.
Lorin S. Gray, 10 Auckland street, Ward 20.

(Artificial Stone with Granite Edgestone.)

M. J. Crossman, 21–25 Astor street, Ward 11.
American Academy of Arts and Sciences, 28 Newbury street, Ward 11.
Henry A. Kirk, 530 Dudley street, Ward 16.
F. G. Buckley, 690 Dudley street, Ward 16.
Orville R. Cooper *et al.*, 64, 68, 72, 76 Hancock street, Ward 20.
W. A. Whalen, Aspen street (south side), corner Copeland street, Ward 22.
Robert J. Mahoney, 266 Lamartine street, Ward 22.
F. D. Rand, Poplar and Corinth street, Ward 23.
Hyman Rambach, 6 Mt. Hope street, Ward 23.
Mrs. C. Smith, 53 Peter Parley road, Ward 23.
Charles M. Durland, 91 Centre street, and on Wainwright street, Ward 24.
Augustus Leverone, 41 Armandine street, Ward 24.
Joanna B. Casey, 27 Greenbrier street, Ward 20.
F. G. Powell, 123 Washington street, Ward 24.
C. S. Whiting, 82 Sutherland road, Ward 25.
Joseph D. Snell, Bushnell street (east side), Ward 24.
The Boston Ice Company *et al.*, Howard street, Ward 17.

SPECIAL COMMITTEE ON UNCLAIMED BAGGAGE.

A petition was received from the Boston & Maine Railroad Company, asking for leave to sell unclaimed baggage.

The President appointed as special committee on said petition Coun. Ballantyne and McDonald.

REPORT ON PENSION ACTS.

The following was received:

Boston Finance Commission,
October 7, 1911.

To the Honorable City Council:

Gentlemen,—The Finance Commission will be able to make a report upon one or both of the pension acts submitted by the Honorable Council to the Finance Commission (chapter 619 of 1910, as amended by 338 of 1911 and 413 of 1911) not later than Thursday, October 12. The commission expected to be able to submit its report during the last week in September, but this was made impossible by the pressure of other work.

Yours respectfully,
JOHN A. SULLIVAN, Chairman.

Placed on file.

CONSOLIDATION OF DEPARTMENTS.

Public Recreation League of Boston,
October 2, 1911.

The City Council,
City Hall, Boston, Mass.:

Gentlemen,—Inclosed is a copy of a communication sent to his Honor the Mayor under date of September 27.

Very truly yours,
E. B. MERO, Secretary.

Public Recreation League of Boston,
September 27, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—The Public Recreation League of Boston at a meeting September 13 took the following action after discussion of the proposed consolidation of departments, and the ordinance now before the City Council to create a Park and Recreation Department.

"*Voted*,—That the Public Recreation League of Boston is in favor of a consolidation of departments having to do with public recreation, namely, the Park, Public Grounds, Bath and Music Departments of the City of Boston;

"That, while not at this time approving or disapproving any particular plan for such a consolidation, the League disapproves any specification or designation of occupation that would limit the membership of the commission in charge of such a department to members of particular professions;

"That the League recommends that such a department be in charge of a man or men whose general executive ability to handle large matters has been proved, in order that the department may be conducted on the broad and progressive lines necessary to the proper administration of Boston's municipal recreation facilities, with the aid of such subordinate experts as may be desirable.

"*Voted*,—That all appointments under the proposed consolidated Park and Recreation Department ordinance should, in the opinion of this League, be under Civil Service regulations or laws.'

The Public Recreation League of Boston is convinced that the time has come for ensuring a radical change in the policy of administering its parks, playgrounds, gymnasiums, water facilities and all the various means for recreation. The League desires to be of all possible assistance to public officials and other agencies interested in such improvements.

Section 1 of the proposed ordinance lays special emphasis upon the material side of park maintenance. The League believes this is but one feature of park administration, and that it is not the most important part at present in Boston. It is a question worth serious consideration whether it is a matter of more money to be appropriated, or whether it is largely a matter of a new policy that will put the human service in the foreground, reducing to a minimum if necessary expenditures of money for material improvements until the people are invited more effectively than now to make greater use of the various recreation facilities in the parks and elsewhere.

These facilities now cost the city for maintenance from $1,500,000 to $2,000,000 a year. It is, we believe, time to pause and note whether the people of the city are getting sufficient returns from this great outlay. You, as Mayor of Boston, have lately emphasized this point with reference to the Charles River Reservation. It is equally applicable to the other parks and public grounds, as well as to the playgrounds, the gymnasiums, the waterfront and the numerous other opportunities now only partially developed. And there are desirable methods for providing this sort of municipal activity for the people's benefit untried and scarcely known in Boston, although operated with official and popular sanction in other cities of this country and in Europe.

The Public Recreation League of Boston is fully aware of this city's initiative in establishing municipal gymnasiums, baths, parks and playgrounds, and the League does not overlook the good service being given, even under the present arrangement of multiplied divisions of authority. It believes, however, that a centralization of the work of the four departments named, under the general direction of men having the point of view of service to all the people, should bring the entire recreation service up to the standard of its present best features.

We hope you and the City Council will make possible a Park and Recreation Department that will enable Boston to resume its proper place as leader and example to other cities along these lines. If there is any way in which we can be of service, we are ready to cooperate as seems desirable.

Very respectfully,
E. B. MERO, Secretary.

Referred to the Committee on Ordinances.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses—recommending that the same be granted to fourteen newsboys, two bootblacks and two vendors.

Reports severally accepted; licenses granted on the usual conditions.

COAL AND COKE LICENSE.

A copy of coal and coke license granted by the Secretary of the Commonwealth was received.

Placed on file.

STORAGE OF GASOLENE.

Notices were received certifying that the hereinafter named buildings were used for the storage of gasolene, and of intention to continue such use for the ensuing year, viz.:

Commonwealth Garage (Inc.), 98 Brighton avenue, Ward 25.

J. A. Dowling, corner Commonwealth and Harvard avenues, Ward 25.

CLERK HIRE.

W. T. A. Fitzgerald, Register of Deeds, in accordance with the provisions of section 33, chapter 22 of the Revised Laws, submitted a pay roll, certifying that certain persons had been employed in his office from August 21 to September 25, and that work had been performed to the amount of $3,826.50.

Approved by the Council.

RECESS TAKEN.

The Council voted at 3.22 o'clock p. m., on motion of Coun. HALE, to take a recess subject to the call of the President.

The members of the Council reassembled in the Chamber and were called to order by the President at 4.28 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Reports on petitions (severally referred to-day) for sidewalks—recommending the passage of orders that the Commissioner of Public Works make sidewalks in front of the following-named estates; said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built as specified, viz:

Gravel with Granite Edgestones.

Caroline Keim, 8 Auckland street, Ward 20.
Lorin S. Gray, 10 Auckland street, Ward 20.

Artificial Stone with Granite Edgestone.

M. J. Crossman, 21–25 Astor street, Ward 11.
American Academy of Arts and Sciences, 28 Newbury street, Ward 11.
Henry A. Kirk, 530 Dudley street, Ward 16.
F. G. Buckley, 690 Dudley street, Ward 16.
Orville R. Cooper *et al.*, 64, 68, 72, 76 Hancock street, Ward 20.
W. A. Whalan, Aspen street (south side), corner Copeland street, Ward 22.
Robert J. Mahoney, 266 Lamartine street, Ward 22.
F. D. Rand, Poplar and Corinth streets, Ward 23.
Hyman Rambach, 6 Mt. Hope street, Ward 23.
Mrs. C. Smith, 53 Peter Parley road, Ward 23.
Charles M. Durland, 91 Centre street and on Wainwright street, Ward 24.
Augustus Leverone, 41 Armandine street, Ward 24.
Joanna B. Casey, 27 Greenbrier street, Ward 20.
F. G. Powell, 123 Washington street, Ward 24.
C. S. Whiting, 82 Sutherland road, Ward 25.
Joseph D. Snell, easterly side, Bushnell street, Ward 24.

Reports severally accepted; orders passed.

(2) Report on order (referred September 11) that chapter 367 of the Acts of 1911, entitled "An Act Relative to the Use of School Halls for other than School Purposes," be and the same hereby is accepted—recommending reference of same to the Committee on Ordinances.

Report accepted; said reference ordered.

(3) Report on message of Mayor and communication (referred to-day) relative to the disposal of garbage—that the same be placed on file.

Report accepted; message and communication placed on file.

(4) Report on petition of the Boston & Eastern Electric Railroad Company (referred September 11), to have route fixed within City of Boston—recommending the passage of the following preamble and order:

Whereas, Upon petition of the directors of the association for the formation of the Boston & Eastern Electric Railroad Company to the Council to fix the route of said railroad within the limits of the City of Boston, and

Whereas, After public notice and a hearing according to law, and after an investigation by the Council of the route proposed as shown upon a plan filed July 20, 1911, it is expedient and in the public interest to modify in part said route, said modifications being now shown upon a plan hereinafter mentioned, on sheets numbered A, 1915; A, 1905; A, 1925, and 1935 by center lines marked in red, now be it therefore

Ordered, That the Council hereby approves of said modifications, and hereby agrees with the said directors upon the route shown upon plans filed with the Council on July 20, 1911, modified as aforesaid by said red lines, and be it further

Ordered, That the Council hereby fixes so much of the route of said railroad within the limits of the City of Boston as is within its authority so to do, the route hereby fixed being shown on a plan made by John H. Bickford, dated September 29, 1911, and filed herewith, said route being as follows: Beginning at the city line in the Chelsea river and running in a southerly direction to the northwesterly end of Breeds Island, thence in a southwesterly direction alongside of and westerly of the tracks of the Boston & Maine Railroad, crossing said Boston & Maine Railroad at or near Addison street, thence still in a southwesterly direction parallel to and easterly of the Boston & Albany tracks under Curtis street, Saratoga, Bennington and Neptune streets, and thence across the land of the East Boston Company, parallel to the said tracks of the Boston & Albany Railroad and about 35 feet from the edge of the land belonging to the said Boston & Albany Railroad, under Prescott, Porter, Orleans, Decatur, Maverick, Sumner, Webster and Marginal streets, under Boston Harbor in a tunnel and continuing in a subway to Post Office square. The stations along said route being located, one at Post Office square, one at or near Porter street, one at or near Prescott street, one between Bennington and Saratoga streets and one on the northwesterly end of Breeds Island.

Report accepted; preamble and orders passed, yeas 8, nays 0.

(5) Report on message of Mayor, communication and order (referred October 2) for $25,000 for renovation of soil, etc., on Boston Common—that the order ought to pass.

Report accepted, order passed, yeas 9, nays 0.

(6) Report on message of Mayor, communications and order appropriating the following sums from the income of the Parkman Fund for the present year, to be expended under the direction of the Board of Park Commissioners — that the order ought to pass, viz.:

Charlesbank, completion of improvements	$600 00
Further repairs upon fence on sea wall	600 00
Castle Island, new water supply, 4-inch pipe	3,000 00
Franklin Park, bears' dens, bird cage, sewer and water supply for zoological garden	20,000 00

The PRESIDENT—The Chair will state that under the provisions of the Parkman will only such parks can benefit under the income of the Parkman Fund as were in existence at the time of the execution of the will. There seems to be some doubt as to whether or not Castle Island could benefit under this restriction. For that reason the Chair will divide the order and put the Castle Island item separately.

The order, with the exception of the item for Castle Island, was passed, yeas 9.

The item for Castle Island was also passed, yeas 8, nays 1, Coun. Smith voting no.

Coun. SMITH—Mr. President, I move reconsideration of the vote on the Castle Island item, and in that connection I would like to ask why it would not be better to refer this to the Law Department for information. There seems to be some doubt as to whether we have a right to appropriate this money for that purpose. And in view of the fact that there are so many calls on the fund and that we have committed ourselves to a large expenditure on the zoo and aquarium, an expenditure the size of which we do not yet know, it seems to me it would be wise to move slowly on these matters where the legal question is doubtful. There will be no harm likely to result. There is no immediate necessity for it. We haven't got to lay this pipe next week or even the week after. It would be better to go slow and do what we have a right to do.

Coun. KENNY—I don't see any objection to our passing the item and then if it develops that Castle Island does not come within the provisions of the Parkman will then this action will not be operative. If it does, the matter will go forward. Therefore I see no reason for not letting it go as already voted.

Coun. SMITH — May I ask Coun. Kenny whether there is any immediate necessity for this,— whether it is necessary to pass it to-day before we know our legal rights? That is, must the work be done in the immediate future?

Coun. KENNY—I don't believe it is a matter of vital necessity that it should be passed to-day any more than as to the other items in that report. The committee assume this was one of the parks that came within the will. It is a recommendation of the Mayor and the work ought to be done. It is a very meritorious thing. If the Board has not the right to do it this vote does not become effective. I have no objection to the item lying on the table one week until such time as the Corporation Counsel may be interviewed, if that would satisfy the member.

Coun. SMITH—Mr. President, I think that would do. Of course, I don't want to ask for this opinion from the Corporation Counsel as a personal favor. I would rather that the Council as a body should ask for his opinion, because it would have more weight. Therefore, rather than have it lie on the table for a week and have me personally ask for an opinion I would rather have the vote reconsidered and the Council ask for the opinion.

Coun. KENNY—In view of the fact that the question has been raised it is only fair that it should be examined into, and therefore I should have no objection to the matter being looked into and assigned for one week.

The question came on Coun. Smith's motion to reconsider. Upon a *viva voce* vote the result was doubted, and upon a rising vote it appeared that four were in the affirmative and three in the negative, and the motion to reconsider the vote on the Castle Island item was declared carried.

On motion of Coun. KENNY further consideration of the item was assigned for one week.

Coun. SMITH moved that the matter be referred to the Corporation Counsel for his opinion as to the legality of using Parkman Fund money for the purpose in question.

The motion was carried.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up No. 1, unfinished business, viz.:

1. Action on appointments submitted by the Mayor October 2 of Olaf Bensen, Walter G. Conant, Miss Agnes F. Farrington and James R. Taylor to be Weighers of Coal for the term ending April 30, 1912.

The question came on confirmation. Committee, Coun. Curley and McDonald. Whole number of ballots cast 7, yeas 7, and the several appointments were confirmed.

SALE OF ALMSHOUSE PROPERTY.

The Council voted, on motion of Coun. McDONALD, to take No. 4 from the table, viz.:

4. Ordered, That the Boston Infirmary Trustees be and hereby are authorized, with the approval of the Mayor, to sell to the Boston Elevated Railway Company for a sum not less than seventy-two thousand dollars ($72,000) the property in the Charlestown district known as the Charlestown Almshouse, with the land connected therewith, containing about 102,400 square feet, and upon such sale his Honor the Mayor is hereby authorized, in the name and behalf of the city, to execute a deed satisfactory to the Law Department, conveying said premises to said company for a consideration not less than seventy-two thousand dollars ($72,000), to be determined by said trustees and approved as aforesaid.

On July 17 the foregoing order was read once and passed, yeas 6, nays 0.

Coun. BUCKLEY—Mr. Chairman, when this matter was first up for discussion I opposed the passage of the order in order that I might look into the valuations of property in that particular part of Charlestown. Since then I have talked with a man who, although not a real estate expert, understands values in Charlestown, all over the district, and he said that the price for that particular place was all right. But he also said that if it could be arranged that the place across the street from where the almshouse stands, where they grow their vegetables and other property, could be taken, that he thought the Elevated also ought to take that. But he believed that the land near the property where the almshouse itself stands would not be of much use to the city after the almshouse property was taken and that they would have some trouble in disposing of it. Now I suppose that is impossible. Still, at the same time, it seems to me that if public service corporations are at all public

spirited they ought to take the entire property under such circumstances. But I am not going to oppose that to-day in view of the fact that I have also found out that the Boston Elevated Railway could take land of the City of Boston by eminent domain as in the case of land of a private individual. I thought there might be a difference. But inasmuch as they could take it anyway, I don't propose to oppose it to-day, in view of the fact that it is a fair price. But the Elevated ought to take the other piece of property also.

Coun. SMITH—As chairman of the Committee on Public Lands I opposed this last time and asked that it be put over, simply on the ground that I did not feel that the price of $72,000 was a fair price. During the week I have consulted a real estate expert who assures me that the price is a fair price,—and that being the second expert we have had on the subject, it seems to me we are perfectly safe in going ahead, and there is this advantage,—if we pass it here rather than allow the Elevated to take it by eminent domain the Elevated is free to develop the property and use it for business purposes, which they are not free to do if they take it by eminent domain. Therefore, it seems to me best to pass it to-day inasmuch as it permits the Elevated to improve the property.

President COLLINS—As the Council will note, on July 17 the foregoing order was read once and passed, yeas 6, nays 0. The question comes to-day on its final reading.

The order was given its final reading and passed, yeas 8, nays 0.

COLUMBUS DAY PARADE.

Coun. BALLANTYNE offered an order—That the Fire Commissioner be hereby authorized to grant leave of absence, without loss of pay, to all employees of his department who are members of the Knights of Columbus and who wish to parade on Columbus Day, October 12, 1911.

Passed.

INFORMATION CONCERNING RETIREMENT OF LABORERS.

Coun. CURLEY—Mr. President, I should like to ask the chairman of the Committee on Finance when we might expect a report on No. 3 on the calendar.

(No. 3 on the calendar was an order calling for the acceptance of chapter 413, Acts of 1911, concerning Retirement Fund for city laborers.)

Coun. KENNY—Mr. President, I am not in possession of any information which would authorize me to answer that question other than that I have heard a communication read here this afternoon stating there was some intention on the part of the Finance Commission to take that up this week.

Coun. CURLEY—Thank you very much. I will ask the Clerk if he for information will read that communication.

The Clerk read the communication which had been sent in by the Finance Commission.

(See earlier in the session.)

ACT CONCERNING HOURS OF WORK.

Coun. CURLEY offered an order—That his Honor the Mayor be requested to call the attention of the Fire Commissioner to chapter 494, Acts of 1911, and to ask if said act is not violated in his department.

Passed.

Coun. CURLEY offered an order—That his Honor the Mayor be requested to call the attention of the Hospital Trustees to chapter 494, Acts of 1911.

Passed.

USE OF SCHOOL BUILDINGS.

The Council voted, on motion of Coun. HALE, to take No. 5 on the calendar from the table.

5. Report of Executive Committee, ought not to pass on order to transfer $13,000 from the Reserve Fund to an appropriation for Extended Use of School Buildings, to be expended by the Superintendent of Public Buildings.

Coun. HALE—I would like to move that this be referred to the Committee on Ordinances with the other matters which came in to-day relative to the same subject.

The motion prevailed.

SALE OF PARK LAND, BRIGHTON.

Coun. BALLANTYNE called up special assignment No. 2, viz.:

2. Report of the Committee on Public Lands, ought not to pass on the order authorizing the sale by the Park Commissioners of a parcel of land in Brighton, bounded southerly by Commonwealth avenue and northeasterly by Chestnut Hill avenue.

Coun. CURLEY—At this time I would most respectfully move a further assignment of this order for one week. I have talked with some of the residents of Brighton within the past week and they are of opinion that it might be possible to secure a sufficient sum of money that the Park Commission requires to complete the circle in the vicinity of the reservoir, and they desire to confer so that they may see whether it would be possible to continue the ownership for the public of this playground on Commonwealth avenue and Chestnut Hill avenue and at the same time to purchase the land that is necessary to complete the park system in the vicinity of the reservoir. I respectfully move an assignment of one week.

Coun. SMITH—I would like to ask Coun. Curley to repeat his reason. We put this matter over for one week, and of course he knows I don't like unnecessarily to delay things. I understand there is to be a sum of money raised to purchase land to complete the park about the reservoir. Of course, that has nothing to do with the land on Commonwealth avenue in question.

Coun. CURLEY—There isn't anybody in this Council that should be more familiar with this than the chairman of the Committee on Public Lands. The purpose of this originally was to permit the Park Department to secure sufficient funds to purchase the necessary lands to complete the park circle in the vicinity of the reservoir. The residents of the Brighton and Aberdeen section object to the sale of this land, which is used sometimes as a playground. In consequence of that objection I presume the Committee on Public Lands reported that it ought not to pass. Some residents of Brighton within the past week have asked me to have the order assigned for one week in order that they might have an opportunity to wait on the Park Commission with a view to having a transfer made of an amount sufficient to purchase the land to complete the circle at the reservoir and permit the Park Department to retain control of this plot of land here at Aberdeen.

Coun. SMITH—Then, if I gather the idea, there would be no harm in putting this order through, as reported by the Committee on Public Lands, because that keeps the land at Commonwealth avenue in the hands of the Park Department.

Coun. CURLEY—It is immaterial whether it goes through or not, but it was their desire that the matter be held in abeyance until such time as they could ascertain if it were possible to secure that triangle. In compliance with that request I have made this request.

Coun. SMITH—As chairman of the Committee on Public Lands I am very glad to favor this matter of putting over action for one week. I must say, however, that it is not because that I understand any good can come to the movement in Brighton to buy the land about the Reservoir. That is a matter entirely separate from this. But as a matter of courtesy I am perfectly willing to give in if it is going to assist the residents of Brighton in interviewing the Mayor about purchasing the land around the Reservoir. I cannot but say that that is a very different matter than this order refers to. But I am very glad to yield.

Coun. CURLEY—If the gentleman on the other side of the Chamber feels that way he should vote against the assignment. I do not desire any courtesy in this matter. I simply present the request of the people of this section. If you don't see fit to honor it that is all right.

The question came on the motion of Coun. Curley for an assignment of one week. The motion being declared carried, it was doubted by Coun. BALLANTYNE, and a verification by roll call requested. Upon roll call, 7 voted in the affirmative and 2 in the negative, Coun. Smith and Ballantyne voting "nay."

REQUEST FOR INFORMATION.

Coun. CURLEY—Mr. President, I should like to ask the chairman of the Executive Committee when his committee may consider the appropriation for the widening of Union Park street.

Coun. ATTRIDGE—Mr. President, at the last meeting one week ago to-day a motion was made by the councilor from South Boston (Kenny) that this matter be laid upon the table for two weeks in order to give the members of the Council an opportunity to see the district. The two weeks will have elapsed next Monday, and I expect that at that time all of the members of the Council will have seen the district and that the Executive Committee will be ready to act upon the order.

Coun. CURLEY—Mr. President, I believe that Coun. Attridge is unconsciously in error. I asked the Clerk to look over the records and the Clerk informed me that the motion was that the matter be assigned to the next meeting—of course, the next meeting being to-day. But as the Executive Committee have met to-day I take it for granted that some action will be taken on it at the next meeting of the Council.

Coun. ATTRIDGE—Mr. President, my recollection of the action of the Executive Committee was and is that the motion was made by the councilor from South Boston that the motion was made to lay the matter on the table for two weeks, which would be next Monday, for action by the Council, and I think the other members of the committee who are present will bear me out that I am correct.

Coun. KENNY—That is my recollection as well.

Coun. CURLEY—The City Council records read that the motion was referred to the Executive Committee, there being no time set upon it, so that that would naturally come up to-day.

Coun. ATTRIDGE—The gentleman on this side of the Chamber of course is in error. When orders are referred to the Executive Committee, no time is specified as to when that committee will act. When that order reached the Executive Committee last Monday, the Executive Committee, on the motion of the gentleman from South Boston, laid the matter on the table for two weeks in order to give the members a chance to see the district. The two weeks will be up next Monday, and I expect that the Executive Committee will then take the matter up, when all the members of the Council will have had the chance to look over the district.

Coun. HALE moved a general reconsideration, hoping the same would not prevail, and the motion was carried.

Coun. SMITH—Would it not be more pertinent to ask Coun. Curley to ask when the matter will be taken up in the Finance Committee, as I understand the money must originate from the Finance Committee, the matter being in there now.

President COLLINS—The Chair will state that there is no motion before the Council.

MOTION TO ADJOURN.

Coun. HALE moved to adjourn.

Coun. SMITH—Will Coun. Hale withdraw his motion?

Coun. HALE—I will yield to a question, but I will not yield to further discussion of this matter, because I think it is simply a waste of time.

Coun. SMITH—It is another matter.

Coun. HALE—If Coun. Smith has something on some other subject which is of importance, like an order, I am perfectly willing to yield.

President COLLINS—That can only be done with general consent, because on the motion to adjourn no debate is in order. By general consent Coun. Smith is permitted to ask a question.

Coun. SMITH—The question I would like to ask, Mr. President, is that the councilor at the head of the Finance Committee can inform us, when there is to be a meeting of that committee, the last meeting having been July 7, and there having been——

Coun. CURLEY—I object to that question being asked. I asked that question a week ago myself.

President COLLINS—The question comes on the motion to adjourn.

Coun. SMITH—Was I granted the right to ask this question? I was granted unanimous right to ask this question.

President COLLINS—I understand Coun. Curley objected. That is not unanimous consent. Do I understand the gentleman still continues with his objection?

Coun. CURLEY—I withdraw the objection if he asks the question of the chairman of the Committee on Finance, but he should not ask me.

Coun. SMITH—If I may be permitted to ask the chairman of the Committee on Finance, as I originally intended, about when there is to be another meeting, the last meeting having been held on July 7, and there being before this committee several important matters such as the Ward 19 playground, four bills in regard to the South Department of the hospital, two in regard to the Consumptives' Hospital, three in regard to Norfolk street widening, one in regard to the Almshouse in Long Island, and one or more in regard to Ward 7 building, additional land for the L Street Bath,——

President COLLINS—The Council permitted only a question. I understand the councilor is making a statement.

Coun. SMITH—I am asking a question as to when the next meeting of the Finance Committee will be held, there being before the committee the following subjects,——

President COLLINS—The Chair rules that is an explanation of your question.

No reply having been made to the question asked by Coun. Smith, question came on the motion to adjourn. On a *viva voce* vote the motion to adjourn was declared carried, the result was doubted by Coun. Buckley, and upon verification by roll call, 1 voted in the affirmative and 7 in the negative, and the motion was declared lost.

Coun. ATTRIDGE—I ask unanimous consent to make a short statement.

Unanimous consent was granted.

Coun. ATTRIDGE—In regard to the matter about which the gentleman on this side of the Chamber inquired—that is, the Union Park street order, which was before the Executive Committee, I have here the order which was referred to that committee and the memorandum of the Clerk of the Committee, Mr. Dever, and his memorandum is that on October 2 this order was laid on the table for two weeks, thus verifying what I said in regard to it.

Coun. SMITH—May I have unanimous consent to ask another question?

Unanimous consent was granted.

Coun. SMITH—Perhaps I was wrong in asking consent for another question. I wish to reiterate the first and give Coun. Kenny the opportunity to answer if he cares to. That is, we have these important matters before the committee, there having been no meeting since July 7. It seems to me perhaps the Finance Committee would care to have a meeting. Otherwise, it might be construed that they were holding up certain matters,—if they didn't have a meeting and discuss them, at least.

Coun. HALE—I move that the chairman of the Committee on Finance have the privilege of answering Coun. Smith's question.

President COLLINS—The Chair rules the motion out of order.

Coun. KENNY—There is an order pending before the Committee on Finance which will become effective on the 20th of October. The next meeting of this Council is a week from to-day so that I naturally expected to call a meeting in order to report on that, at least.

Coun. CURLEY—Mr. President, in relation to the statement regarding the question whether Union Park street, if I might be permitted to make a statement——

Coun. HALE—I object.

Coun. CURLEY—I rise to a question of privilege. My question of privilege is that through an error both Coun. Attridge and myself have been placed in a false light regarding Union Park street.

President COLLINS—The Chair rules that Coun. Curley has the floor on his question of privilege.

Coun. CURLEY—My statement, Mr. President, was that the matter of disposition of the question of appropriation of $75,000 for Union Park street had not been assigned for two weeks. By being assigned for two weeks I mean action by the open Board on the question of assignment; and I consulted the Clerk with relation to that particular proposition. The Clerk informed me that it had been assigned for no definite time other than the next meeting. Coun. Attridge is informed by the Clerk of Committees that in the Executive Committee's session it was assigned for two weeks, and I believe that is so, and if I have unconsciously misstated his position I desire to take it back.

On motion of Coun. BALLANTYNE the Council adjourned at 4.56, to meet on Monday, October 10, 1911.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 16, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair and all the members present.

The Council voted, on motion of Coun. BUCKLEY, to dispense with the reading of the records of the last meeting.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments, viz.:

(1) Francis X. Malley, 7 Wellington road, Ward 16, a Weigher of Coal for the term ending April 30, 1912.

(2) Michael J. McTiernan, 177 Lauriat avenue, Ward 24, and William H. Marnell, 44 Mead street, Ward 4, Constables of the City of Boston for the term ending April 30, 1912.

The above-named appointees to serve without bonds, being truant officers in the employ of the School Committee.

Severally laid over, under the law.

INFORMATION CONCERNING BUILDING DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, October 13, 1911.

To the City Council:

I transmit herewith a more specific report from the Building Commissioner upon conditions described at certain premises in the letter of Mr. A. Mason, Recording Secretary of Local 175, U. A., A. F. of L.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Building Department, October 10, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—I am in receipt of a letter from Mr. William A. Leahy saying that you would like a specific report upon conditions described at particular premises, in the letter of A. Mason, Recording Secretary of Local 175, U. A., A. F. of L.

Mr. Blasser, an inspector in this department, reports to me that no unlicensed men or boys are employed by the Boston Plumbing Company at the job on Hemenway street mentioned in the letter from Mr. Mason. At 27 Astor street the same firm are employing one unlicensed man, a warrant for whose arrest will be applied for to-day.

We have found no work being done by Mr. Berger where unlicensed men or boys are employed. Our inspector, Mr. Blasser, found no unlicensed men or boys working on the jobs being done by Mr. Levine on Astor street.

Yours respectfully,
ARTHUR G. EVERETT,
Building Commissioner.

Placed on file.

TRANSFER FOR L STREET BATH.

The following was received:

City of Boston,
Office of the Mayor, October 13, 1911.

To the City Council:

In compliance with the request of the chairman of the Bath Trustees, that the appropriation for handball court and shower baths, L Street Bath House, amounting to twenty-five hundred (2,500) dollars, be transferred to the appropriation for L Street Bath Additions, etc., I recommend the passage of the accompanying order making the transfer as requested.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Bath Department, October 11, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

My dear Sir,— I desire to ask your cooperation for the transfer of a loan of $2,500 which has been authorized by the City Council, subsequent to the completion of the L street addition and alteration, for the construction of a handball court and shower baths at L street, to the General Fund for Improvements at this bath house.

The items for which this special loan was authorized have already been executed under the alterations and additions which were made last spring, but the several matters which we had under contemplation at that time, and which were absolutely necessary, could not be made, owing to the lack of sufficient money remaining from the special appropriation of $35,000. This transfer is requested with the purpose in view of constructing a shelter and playground at the women's and children's side of the L Street Bath, and other improvements, which improvements, as stated, could not be made previously, and which we now are desirous of completing before the opening of next season.

Trusting that this will receive your immediate attention, I am,

Very truly yours,
RICHARD M. WALSH,
Chairman Bath Trustees.

—

Ordered, That the City Auditor be and hereby is authorized to transfer the appropriation for handball court and shower baths, L Street Bath House, to the appropriation for L Street Bath Additions, etc.

Referred to the Executive Committee.

OLD COURT HOUSE PORTICO.

The following was received:

City of Boston,
Office of the Mayor, October 13, 1911.

To the City Council:

In compliance with an order passed by your honorable body September 23, 1911, requesting an opinion from the Art Commission as to the disposal of the portico of the Old Court House, I transmit herewith a communication from the chairman of that commission.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Art Commission, October 10, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—In answer to an order of the City Council of September 23, 1911, requesting the Art Commission, through his Honor the Mayor, to send the City Council an opinion as to the disposal of the portico of the Old Court House, I beg to report to your Honor as follows:

This commission has considered the sketch plans for a shelter at Governor's Island, prepared by Mr. Edward T. P. Graham. This commission approves this design in general, with modifications in detail.

This commission also approves such a commanding site as that proposed on Governor's Island, if Governor's Island can be sufficiently developed and made sufficiently accessible.

The above approval of design and site has been reached without reference to economic considerations, which this commission has not studied.

This commission begs further to suggest that your Honor's special committee consider also some other such site commanding the harbor as Marine Park in South Boston.

Yours respectfully,
THOMAS ALLEN, Chairman.

Referred to the Committee on Governor's Island.

ALLIED PRINTING TRADES UNION LABEL COUNCIL BOSTON, MASS.

TRANSFER FOR HEALTH DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, October 11, 1911.

To the City Council:

I transmit herewith a statement from the chairman of the Board of Health, requesting that the sum of twenty-three thousand four hundred and forty-two dollars ($23,442) be added to the appropriation for the Health Department in order to meet the expenditures incurred during the summer in the inspection of large numbers of immigrants suspected of including cholera patients or cholera carriers, as well as for certain repairs upon the wharf at Gallop's Island. These expenditures seem to me to have been necessary and the repairs upon the wharf are required in the interest of safety for persons using it. I recommend, therefore, the passage of the accompanying order, transferring the sum specified from the appropriation for Reserve Fund to the appropriation for Health Department.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Health Department, October 9, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—The Board of Health begs to inform his Honor the Mayor that, in order to comply with new orders from the Treasury Department at Washington, for the protection of the port of Boston against the passing of cases of cholera and cholera carriers, it became necessary to greatly enlarge the facilities at quarantine for the reception, examination and care of very much larger numbers of immigrants arriving from cholera infected ports and places, all of which had to be met in a great hurry. The expenditures amounted to $21,942.67 and were not provided for in our appropriation.

The Board finds, through an examination and estimate by the Commissioner of Public Works, that the wharf at Gallop's Island must have immediate replanking and piling to an extent of $1,500, to make it safe for use. This item of expense was also unforeseen and unprepared for in the annual budget.

The Board would respectfully recommend that, by transfer or such other method as may seem to his Honor best, the sum of $23,442 be made available to the Board of Health, to prevent a deficit of said amount at the close of the fiscal year.

Very truly yours,
S. H. DURGIN, Chairman.

—

EXPENDITURES ON ACCOUNT OF DETENTION OF IMMIGRANTS.

Construction, Alterations and Repairs.

M. F. MacDonald & Son, building dining room — various alterations and repairs		$4,980 32
Morandi-Proctor Company, cooking stoves		342 41
George A. Cahill, architect and overseer,		212 70
G. W. Bent Company, furnishing and installing 600 standard folding bunk beds		3,550 00
Boyden & Co., plumbing, steam fitting, building drains, cesspools and latrines, and putting in water supply; working in four buildings		2,316 89
Jackson & Newton, screens for various buildings and Steamer "Vigilant"		390 00
Curtis & Pope, lumber		127 84

Supplies.

Shepard & Clark, cooking utensils, chambers, etc.		332 00
Hovey & Co., butter		38 00
Dorchester Awning Company, tents		339 20
Henry Gray, mattresses		325 00
Express — carting tents from Framingham		40 00
Thomas Kelly & Co., blankets		1,925 00
Mitchell & Woodbury, dishes		102 81
Cobb, Bates & Yerxa, groceries		184 43
S. A. Neill, disinfectants and medicines		31 00
J. M. Ballem, feeding immigrants		2,030 00
Immigration station, blankets		28 00
C. H. Goldthwaite & Co., surgical supplies		10 00
P. Ahearn, provisions		98 70
W. H. Ames, potatoes		27 32

Extra Help.

Extra help in tracing sources of and in surveillance over suspicious cases of illness in the city, and extra help in the laboratory		$711 62

Electric Lighting.

Purchase and installation of plant, etc.		3,799 43

Repairing Wharf.

Estimated		1,500 00
		$23,442 67

—

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of twenty-three thousand four hundred and forty-two dollars ($23,442) from the appropriation for Reserve Fund to the appropriation for Health Department.

Referred to the Executive Committee.

CLAIMS OF FIREMEN.

The following was received:

City of Boston,
Office of the Mayor, October 11, 1911.

To the City Council:

I transmit herewith for consideration by the Committee on Claims a letter from the Fire Commissioner, together with a schedule, presenting the claims of several members of the department for losses in the repair shop fire of August 9, 1910.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Fire Department, October 5, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—I have the honor to inclose herewith a schedule of claims filed by the members of the Repair Division of this department for personal property destroyed at the fire August 9, 1910. A small number of similar claims were paid by vote of the City Council, and with the approval of your Honor. At the time the first claims were paid the present claims had not been made.

Inasmuch as the city government saw fit to pay the previous claims, I submit this list for such action as your Honor and the Council may see fit to take.

After investigation of the matter I find the loss was as stated, and I believe this list includes all probable claims.

If the city government decides to pay these claims, funds should be provided, as such payment was not estimated in the Fire Department appropriation.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

—

CLAIMS FOR PERSONAL PROPERTY LOST IN REPAIR SHOP FIRE, AUGUST 9, 1910.

William J. Northway:		
1 worn black cutaway coat		$5 00
John E. Nolan:		
1 fall overcoat	$12 00	
1 jacket	4 00	
2 suits of overalls	3 80	
1 pair shoes	2 50	
1 pair overshoes	1 50	
		23 80
Arthur K. Paradise:		
4 sets overalls at $1.70	$6 80	
1 pair rubber boots	4 00	
1 canvas coat	3 50	
		14 30
C. F. Curran:		
1 sack uniform coat	$12 50	
1 pair uniform trousers	5 00	
1 pair rubber boots	3 50	
1 cardigan jacket	3 00	
1 uniform cap	1 65	
		25 65
Thomas W. Kennedy:		
1 madras shirt	$1 50	
1 pair shop shoes	1 25	
1 pair shop trousers	1 00	
1 pair overalls	85	
		4 60

D. Calder:		
1 rubber coat	$4 00	
1 pair rubber boots	3 00	
1 cardigan jacket	2 25	
1 uniform cap	1 00	
		$10 25
William J. Dower:		
1 overcoat	$25 00	
1 overcoat	22 00	
1 suit	22 00	
1 suit	20 00	
3 suits underwear	9 00	
1 rubber coat	6 00	
1 sweater	4 50	
1 pair rubber boots	4 50	
1 pair shoes	3 50	
1 uniform cap	1 60	
	$118 10	
10 per cent for wear	11 81	
		106 29
E. M. Byington:		
1 Curtis pietzometer	$40 00	
1 leather covered couch and cushion	30 00	
3 pairs uniform trousers and vests	27 00	
1 reclining chair	25 00	
1 regulator wall clock	25 00	
1 blue suit, civilian	25 00	
1 check coat and vest	20 00	
1 gray suit	15 00	
1 uniform coat, nearly new	15 00	
1 silver stop watch	12 00	
4 pairs shoes	12 00	
1 cravenette overcoat	11 00	
12 new regulation shirts	10 50	
1 civilian overcoat	10 00	
3 pairs rubber boots	9 00	
1 sheepskin coat	7 00	
6 suits underwear	6 00	
3 suits underwear, woolen	6 00	
1 Williard wall clock	5 00	
1 Stetson soft hat	5 00	
6 white linen bosom shirts	4 50	
2 pairs uniform gloves	4 00	
1 dress suit case	4 00	
1 worn uniform coat	5 00	
2 regulation uniform hats	3 00	
1 rubber coat	3 00	
1 old uniform sack coat	3 00	
12 pairs stockings	3 00	
1 bath robe	3 00	
12 handkerchiefs	2 00	
2 pairs light rubbers	2 00	
1 electric desk lamp	2 00	
12 linen collars	1 50	
6 regulation ties	1 50	
		357 00
Total		$546 89

Approved:
ELLET BYINGTON, Superintendent.
Referred to the Committee on Claims.

BAND CONCERT, SOUTH END.

The following was received:

City of Boston,
Office of the Mayor, October 11, 1911.

To the City Council:

In reply to your order passed at the meeting of September 11, 1911, that the Music Commission be requested to furnish a band concert at Harrison avenue and Gloucester place on the evening of October 11, I transmit herewith a communication from the secretary of the Music Commission, which states that owing to the small financial balance left with which to conduct the winter concerts it will be impossible to meet the request of the City Council.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Music Department, October 10, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—I have been instructed by the Music Trustees to notify you that owing to the small financial balance left unexpended with which to conduct our winter concerts it will be impossible to meet the request of the City Council to give a band concert on the evening of October 11, 1911, at Harrison avenue and Gloucester place, Ward 9. The trustees would be in favor of this order if financial conditions allowed.

Respectfully yours,
WALTER L. FINIGAN, Secretary.

Placed on file.

MUNICIPAL BUILDING, WARD 7.

The following was received:

City of Boston,
Office of the Mayor, October 10, 1911.

To the City Council:

At a meeting of the City Council held September 11, 1911, I transmitted a communication from the Superintendent of Public Buildings furnishing an estimate of the cost of the proposed municipal building for Ward 7. This building was to occupy about 7,500 square feet of land and to be two stories high above the basement. It was to contain shower baths, swimming pool, branch library, and gymnasium or assembly hall, as might be determined later. The estimated cost was ninety thousand dollars ($90,000). I desire to recommend the passage of the accompanying order transferring this amount from the Reserve Fund to an appropriation to be expended under the direction of the Superintendent of Public Buildings for a municipal building in Ward 7.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of ninety thousand dollars ($90,000) from the appropriation for Reserve Fund to an appropriation to be expended under the direction of the Superintendent of Public Buildings for Municipal Building, Ward 7.

Referred to the Executive Committee.

MECHANICAL STOKERS, ETC., FOR HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, October 16, 1911.

To the City Council:

For the reasons given in the accompanying letter of the president of the Board of Hospital Trustees, I recommend the passage of the accompanying order appropriating seventeen thousand (17,000) dollars from the Reserve Fund for the installation of mechanical stokers, and for the purchase of two automobile ambulances.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

The Boston City Hospital,
Boston, October 14, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Referring to our interview for the welfare of the Boston City Hospital, and agreeably to understanding that it is important that the furnaces of the hospital should be equipped with mechanical stokers, I beg further to say:

First. The law regarding the smoke nuisance is to be very rigidly enforced the coming year. With soft coal it is impossible without these mechanical stokers to conform to the law.

Second. There will be a diminution in the expense of heating the hospital of fully $5,000 a year, as estimated by our engineer and confirmed by Densmore & LeClear, engineers and architects, whose letter I herewith inclose.

Your Honor also understands the necessity for the immediate purchase of two auto ambulances on account of the unsatisfactory condition of our horse ambulances and the consequent inefficiency of the service.

The above items will require a transfer from the Reserve Fund as set forth below. As Densmore & LeClear estimate the expense of installing the mechanical stokers will be from $10,000 to $12,000, a transfer of $11,000 will probably cover the.

amount required for this purpose. The total amount necessary therefore for this transfer is as follows:

For mechanical stokers.....	$11,000 00
For two ambulances.....	6,000 00
	$17,000 00

Your Honor's permission is also asked, for the good of the service, to invite bids for both items, instead of advertising to the public at large.

If you will kindly give this your immediate attention you will greatly benefit the hospital and by so doing again receive the appreciation of the trustees. Kindly inform me as soon as the transfer is made so that we may proceed with the work.

I have the honor to be, on behalf of the trustees,

Respectfully yours,
A. SHUMAN,
President Board of Trustees.

—

Boston, October 14, 1911.

A. Shuman, President,
Boston City Hospital, Boston, Mass.:

Dear Sir,—It is our opinion that the mechanical stoker is now so well perfected, and in successfull operation in so many plants, that its use should be considered in the hospital boiler plant for the following reasons:

1. The mechanical stoker is the only practical solution of the smoke problem, and in order to comply with the requirements of the City of Boston stokers are necessary at the hospital. It is important that plants operated by the City of Boston should set the best example possible with regard to smoke.

2. The mechanical stoker requires less labor than hand firing and is more efficient in burning of coal. The saving in labor and coal should in the Boston City Hospital plant amount to about $5,000 a year.

We estimate that the cost of the stoker and its installation under the new water tube boilers in this plant would cost from $10,000 to $12,000.

Very truly yours,
DENSMORE & LECLEAR.

—

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of seventeen thousand (17,000) dollars from the appropriation for Reserve Fund to an appropriation to be expended under the direction of the Hospital Trustees for the following purposes:

For mechanical stokers.....	$11,000 00
For two automobile ambulances.....	6,000 00
Total.....	$17,000 00

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Mrs. J. F. Beach, for compensation for damage to suit and hat, by oil from a steam roller.

Columbia Amusement Company, to be refunded $483.60 paid under protest for water bills at estate on Washington street, corner Lovering place.

Mary T. Conlon, for compensation for damages by the backing up of sewer at 22 Wakullah street.

John Devlin, for compensation for injuries received while in the employ of the Sanitary Division of the Street Department.

Sally Hecht Ehrlich, for compensation for a brick wall, rear of 553 Columbus avenue, demolished by a wagon of the Public Works Department.

Mildred Hudson, for compensation for injuries caused by an alleged defect in the highway corner E and West Fourth streets.

Sarah M. Finnegan, for compensation for damages by leak in water pipe between house and street, at 34 Hamburg street.

Patrick S. Kearns, for compensation for death of his son by falling into abandoned sewer outlet at Old Harbor street.

Executive.

Frank S. Abercrombie, for a permit for Eleanor Foubister, under fifteen years of age, to appear at Odd Fellows Hall, 515 Tremont street, on October 26, 1911.

INVESTIGATION OF RETIREMENT SYSTEM.

The following was received:

Boston Finance Commission,
410–416 Tremont Building,
Boston, October 11, 1911.

To the Honorable the Mayor and City Council:

Gentlemen,—On May 15, 1911, the Mayor transmitted to the Finance Commission, with a request for investigation and report the following order of the City Council:

Ordered, That the Finance Commission be requested, through his Honor the Mayor, to report to the City Council as to the advisability of accepting chapter 619 of the Acts of the year 1910; as amended by chapter 338 of the Acts of 1911, entitled "An Act Relative to Retirement Systems for the Payment of Annuities and Pensions for Employees of Cities and Towns;" also, to report to the City Council on the following:

(*a.*) The cost of the system to the city in actual pecuniary outlay.

(*b.*) Its effect on the service in removing aged employees, who by their example tend to retard the efficiency of younger and more active men.

(*c.*) The positive gain resulting from the substitution of younger and stronger men for the retired veterans.

(*d.*) The net gain or loss to the city as a whole, measured first, in terms of pecuniary outlay; and secondly, in terms of efficiency.

The commission respectfully submits herewith its report upon the two acts in question.

Respectfully submitted,
THE FINANCE COMMISSION,
by JOHN A. SULLIVAN,
Chairman.

—

REPORT ON THE ADVISABILITY OF ACCEPTING CHAPTER 619 OF THE ACTS OF 1910, AS AMENDED BY CHAPTER 338 OF THE ACTS OF 1911.

This statute was passed in the year 1910 (Acts of 1910, chapter 619) and according to its terms was referred to the cities and towns in the Commonwealth for acceptance or rejection by the city councils or boards of selectmen of such cities or towns, the act if accepted by a city council to be submitted to the voters of the city at the next municipal election, or if accepted by the selectmen of a town to be submitted to the voters of the town at its next town meeting.

On December 10, 1910, and again on December 17 of the same year, the Finance Commission called the attention of the City Council of Boston to certain defects in the act which, in the opinion of the commission, warranted its rejection. The statements of the commission were disputed at the time in two communications, dated December 13, 1910, and December 20, 1910, respectively, by the secretary of the State Commission on Old Age Pensions which framed the original draft of the act, his opinion being that the act, though admittedly defective, was defective only in minor particulars, which could easily be remedied at the next session of the Legislature. These statements by the Finance Commission and by the secretary of the Commission on Old Age Pensions, together with a copy of the act, were printed in a pamphlet entitled "Communications on the Civil Pension Act," issued shortly after.

The act was not accepted by any city or town in the Commonwealth; and at the following session of the Legislature (1911) a number of amendments were made to remedy defects which had been pointed out by the commission in its communications to the Boston City Council. (See pamphlet above referred to, and Acts of 1911, chapter 338, copies of which are hereto annexed; Finance Commission's Reports, Vol. VI., pages 221–230, inclusive; and another article by the secretary of the Commission on Old Age Pensions printed in the *City Record* of October 7, 1911, pages 792, 793.)

The more important of these amendments are as follows:

1. More effective provisions have been made for the retirement of employees of the city.

(*a.*) By providing for the payment of an annuity, and a pension based upon subsequent service, to a member who is retired without his consent at the age of sixty years after fifteen years' continuous service. The original act failed to make provision for such a case.

(*b.*) By providing that an employee, not a member of the association, who had reached the

age of fifty-five years on the date when the retirement system was established, may be retired at any time and paid a pension equivalent to the minimum payment provided in the act. The original act made no provision for such a case.

2. The provisions for the election of the second member of the Board of Retirement have been amended so that they are now workable; thereby making the retirement system itself possible of operation. It was impossible of operation under the original act.

3. Provision has been made for consulting the wishes of the head of a department with respect to the retirement of an employee who is a member of the retirement association and who has reached the age of sixty years after fifteen years' continuous service; and also in the case of a member of the retirement association who has had thirty-five years' continuous service irrespective of his age. Such employees could be retired under the original act without the recommendation of the head of the department in which they were employed; but cannot be under the amended act without such recommendation.

4. Any unexpended balance of the money appropriated by the city for the administration of the system must be returned to the City Treasurer under the amended act, whereas under the original act such unexpended balance might have been credited to a fund for the benefit of the members of the association.

5. The claims of members of the Board of Retirement for reimbursement for any expense or loss of salary or wages incurred through service on the Board, the appointment of clerical or other assistants by the Board. and the making of by-laws and regulations not inconsistent with the act, are all made subject to the approval of the City Council under the amended act; whereas all these matters were within the sole power of the Board of Retirement under the original act.

Certain provisions of the original act which were criticised by the Finance Commission still, however, remain. Thus, an employee discharged for misconduct would not lose his right to a pension if reinstated within a year. This provision violates the principles of all pension acts based upon honorable service. As stated by the Finance Commission in its report to the City Council, under date of December 10, 1910:

"One discharged for such cause should not be reinstated at all. This provision would operate to the city's detriment. The sentimental considerations arising out of the employee's previous service and payments to the retirement fund, reinforced by political influence, would make it difficult to discharge an offending employee in the first instance,— or, if discharged, to refuse him reinstatement within the year. It would make the claim of the incompetent or insubordinate employee to continue in the service even more like a vested right than it now is — the exact opposite of the effect a well-drawn pension act should have." (Finance Commission Reports, Vol. VI., p. 224.)

The act is still open to the criticism that, notwithstanding the fact that the public has been given the impression that it provides substantially equal contributions by the city and by its employees, the city will be required to pay the entire expense of the administration of the system which is estimated at $25,000 a year. Moreover, it is still open to the weightier objection that the Retirement Board, which is given large powers of control over the retirement of employees, the fixing of the percentages of wages or salary, and the classification of annuitants and pensioners under the act, may lead to the formation of a political machine which would exercise great influence over thousands of city employees. Such an act should be administered by a Board entirely nonpolitical in its character and beyond the reach of political influences. Under this act the City Treasurer, by virtue of his office, becomes a member of the Board, the members of the association elect one of their number a second member of the Board, and these two members of the Board elect a third member, thus making it probable that the personal or the political influences of the representatives of the city administration for the time being, and the city employees as well, would be regarded as superior to the financial interests of the city.

In the opinion of the Finance Commission these defects in the act are sufficient to warrant its rejection by the City Council; but even if all of these defects had been remedied by the last Legislature the commission would still be of the opinion that the act would ultimately operate to the financial detriment of the city. The reasons for this opinion are as follows:

1. *Retirement of Efficient Employees.*

As applied to the City of Boston the act provides a means by which all city officials and employees (except those whom existing pension laws affect, such as firemen, policemen and school teachers, and also except officials elected by popular vote) may retire voluntarily from the city's service, or be retired without their consent, with an annual allowance in the form of a pension or annuity or both. The act applies alike to the head of a department who receives $9,000 a year and to the lowest paid employee in the service of the city. Highly paid officials may retire after thirty-five years of service in full possession of their powers and still receive a pension from the city even though they subsequently enter private employment or business and receive large salaries or profits therefrom. The amount of the pension in such cases would not be large, but added to the expected profits or salary in private employment or business, might easily furnish sufficient inducement for the retirement of officials entirely capable of serving the city for many more years. It is manifest injustice to compel the city to pay a pension upon retirement to a highly paid official who has the necessary physical and mental ability to render further service to the city; yet the act would permit this to be done. Under the act the question of retirement does not depend upon the physical or mental incapacity of the employee but rather upon the question of the length of his service. Many persons entirely fit for further service might be retired at various ages ranging between fifty and sixty. In this respect the act seems to the Finance Commission to be wholly without justification.

2. *Clerks and Employees Above the Grade of Clerks.*

The compensation of the city's clerical force is now far in excess of that paid by the state or by private employers. If a pension system were adopted every laborer, artisan, mechanic and clerk privately employed and residing in the city, as well as all tradesmen, merchants, manufacturers, and business men, would have to bear the burden of an additional tax in order to give a further privilege to an already privileged class. In this connection, the attention of the City Council is respectfully invited to the following statement in the commission's report to the Legislature under date of January 20, 1911:

"The clerks employed by the city are far more favorably treated than clerks in private employ. The latter, as a rule, work a greater number of hours, perform much more work in an equal number of hours, and receive less pay than clerks in the city's employ. Moreover, clerks employed by the city are retained without regard to the city's financial condition, whereas clerks in private employ are always subject to the risk, and frequently to the loss, of employment, due to the vicissitudes of industrial and commercial life. The clerks of the city are also paid much more than the clerks employed by the Federal government or by the Commonwealth." (Finance Commission Reports, Vol. VI., pages 13, 14.)

Further material for study is found in the reports of the Finance Commission respecting the number, salary and efficiency of the clerical forces of the city. Attention is particularly called to the following reports: Vol. I., pages 340-345; Vol. II., page 201; Vol. VI., pages 13, 36.

To impose fresh taxes upon the entire community in order to pension employees above the grade of clerks, including the professional men in the service, and the heads of departments, would be even more unreasonable. If the highly paid employees of the city have been improvident, and consequently have not at the end of their long service acquired a competency, the fault is their own and not that of the taxpayers of the city.

A general pension for municipal employees has, in the past, been urged upon grounds of sympathy for the poor city workers. Such a view wholly neglects the even greater sympathy due the even poorer workers *not* in city employ, whom it is now proposed to tax in order to favor still further their already comparatively favored brothers. The advocates of the act have taken the position that this line of argument "begs the question," inasmuch as it rests on the assumption that the effect of the act will be to increase the city's expenses—and hence the taxes—on labor account. It is true that

the argument of injustice depends in part upon the increased expense on labor account which may be caused by the act, but the Finance Commission thinks it shows herein strong grounds for believing that such an increase would in fact result from the adoption of a general pension scheme.

3. *Conditions of Public Employment in Boston.*

The conditions of public employment in Boston should be attentively studied before it is assumed that the city is under any obligation to provide its employees with pensions.

It has been the practice in Boston upon each change of administration to make relatively few removals, except of heads of departments, but to make additions to the labor and clerical forces so as to provide places for the supporters of the party that was successful in the election. An enormous pay roll is the result of these accumulations, with their accompanying unwarrantable increases in salaries, and a large part of the heavy expenditures and debt of the city is due to the appropriations and loans which have been passed to provide salaries and wages for this army of employees. In the execution by day labor of the work for which such loans provided the city has sustained losses of millions of dollars. These losses were caused principally by the inefficiency of the city's forces, an inefficiency due largely to politics, as has been pointed out frequently in the reports of both the former and the present Finance Commissions and the experts employed by them. To liken such conditions to the entirely different conditions in private employ which justify private pension systems would involve a serious fallacy.

4. *The Ultimate Cost of the Pension System.*

The advocates of a general pension scheme lay special emphasis on the need of relieving municipalities of the expense of superannuated employees. The Finance Commission believes, however, that the acceptance of the pending act would ultimately cause the City of Boston heavy financial loss. The contributory system would soon be attacked as a hardship upon the employees, especially upon laborers and mechanics. The city employees would demand, and by political pressure would probably obtain, increases in wages equal to their contributions to the retirement fund. This accomplished, the next step would be the elimination of the contributory feature of the system. Thus finally the city would bear the entire expense of both the pension system and the increased wages of its beneficiaries. Meanwhile, as employees were retired, new and unnecessary appointments would be made for political reasons, the size of the city's force would be undiminished, and the total expenses of the city would be increased far beyond any possible gain from increased efficiency due to the retirement of the superannuated.

It may be argued that the city can avoid these dangers as well as a private employer could who establishes a private pension system for his employees. But experience has abundantly proved that public control and management is far less efficient than that of private employers. Private pensions are paid by an employer out of his private purse and are at all times under his control. He can increase or reduce or withdraw them at will; public pensions, however, are paid by the entire community and it gives less attention to its affairs than private employers do to theirs. The public pension system once established will never be withdrawn and its beneficiaries, and not the community as a whole, will largely if not entirely control its operation.

5. *No American Precedent for the Act.*

Finally, there is no reason why Boston should be the first municipality in the United States to try the experiment involved in a general pension act. According to the report of the Commission on Old Age Pensions, dated January 15, 1910, no American state has adopted any general system of old age pensions or insurance (see House Document 1400 of 1910, page 78), and the Finance Commission knows of no precedent for the pending act so far as American cities are concerned. Moreover, though the cities and towns of this Commonwealth have had opportunity to adopt the act since its passage on June 14, 1910, none of them have accepted it up to the present time.

Answers to the Specific Questions of the City Council.

Having stated the reasons for its objection to the passage of the general act, the Finance Commission herewith submits its answers to the specific questions of the City Council.

(*a.*) The Cost of the System to the City in Actual Pecuniary Outlay.

This question cannot be answered as the cost cannot be determined until the Board of Retirement decides upon the percentage of the salaries or wages which various classes of members of the retirement association shall contribute to the retirement fund. Under the act the Retirement Board has the power to fix the percentage of the salaries and wages to be paid by members at from 1 to 5 per cent, to classify employees for that purpose, and to establish different rates of contribution for different classes. Before the percentages are fixed and the classification of employees is completed it will be impossible to determine what the pecuniary outlay to the city would be in any given year, even if the entire number of persons to be affected by the act were known, which also is impossible to estimate beforehand. A special committee, consisting of the secretary of the State Commission on Old Age Pensions, the City Treasurer and the City Auditor, estimated the cost of the system in the first year of its operation under the Act of 1910, on the basis of 1 per cent payments by city employees, at $119,958.41. (See *City Record*, December 10, 1910, pages 907, 908.) This estimate rested upon certain assumptions, some of which were admittedly arbitrary. The estimate is doubtless as accurate as any that could be obtained, but because of its uncertain bases, the Finance Commission is unable to state how much reliance should be placed upon it.

(*b.*) Its Effect on the Service in Removing Aged Employees who by Their Example Tend to Retard the Efficiency of Younger and More Active Men.

If only the incapacitated were removed and efficient employees were always appointed in their places this would have the effect of increasing the efficiency of the city's forces. Past experience, however, affords sufficient ground for the assumption that inefficient employees would be removed for political reasons only to make places for others, abler perhaps, but no more efficient in fact. Moreover, if the many employees who were not then and never had been needed should be retired under the terms of the act, and their places filled by younger employees, the net result would be only a loss to the city of the amount of pension paid to the retired employee, as full wages would be paid to the new but unnecessary employee. In other words, the city would still have a superfluous employee to whom it would pay full wages, besides being obliged to pay a pension to the former employee.

(*c.*) The Positive Gain Resulting from the Substitution of Younger and Stronger Men for the Retired Veterans.

There would be positive gains resulting from the retirement of veterans for whom there was work which they could not perform. There would be a financial loss, however, in the event of the retirement of veterans for whom there was little or no work if their places were filled by younger employees for whom there would be practically no work.

(*d.*) The Net Gain or Loss to the City as a Whole Measured First in Terms of Pecuniary Outlay; and Secondly in Terms of Efficiency.

As to this no statement can be made which is susceptible of proof, as the result will depend wholly upon the manner in which the system is administered. In the opinion of the commission, unless political conditions change materially, there would be an actual financial loss and no corresponding gain in efficiency.

Conclusions.

The conclusions of the commission briefly stated are as follows:

1. The General Pension Act as originally passed was defective and unworkable.

2. The act has since been amended in several particulars and has been thereby materially strengthened.

3. The act still contains several defects, however, which are of such a serious character as to warrant its rejection by the City Council.

4. The commission, for reasons already set forth, is opposed to a general pension scheme for all employees of the city.

The commission, therefore, recommends the rejection by the City Council of the General Pension Act (chapter 619 of the Acts of 1910 as amended by chapter 338 of the Acts of 1911).

The commission still has the Laborers' Pension Act (chapter 413 of the Acts of 1911) under consideration, and expects to report upon the same within a week or two. The commission, therefore, respectfully suggests that the Council delay action upon the Laborers' Pension Act, as nothing will be lost by such delay, inasmuch as the act, according to its terms, cannot become effective before the first day of March, 1912.

(In connection with the report were Appendixes A and B; A relating to communications on the Civil Pension Act, same being in print; B being chapter 338, Acts of 1911.)

Referred to the Executive Committee.

RETIREMENT SYSTEM, COUNTY EMPLOYEES.

The following was received:

The Commonwealth of Massachusetts,
Office of the Secretary,
Boston, October 16, 1911.

To the City Council of the City of Boston:

Gentlemen,—Your attention is called to the provisions of section 2 of chapter 634, Act of 1911, "To authorize the Counties of the Commonwealth to Establish Retirement Systems for their Employees." If you desire said question to appear upon the official ballot at the next state election, it will be necessary for you to notify this office on or before October 20.

Very respectfully,
ALBERT P. LANGTRY, Secretary.

Referred to the Executive Committee.

APPROVAL OF APPOINTMENT.

A communication was received from the Civil Service Commissioners approving of the appointment of Alexander C. Chisholm as a Bath Trustee.

Placed on file.

COAL AND COKE LICENSE.

A copy of coal and coke license granted by the Secretary of the Commonwealth was received.

Placed on file.

STORAGE OF GASOLENE.

Communications were received from the hereinafter named parties stating that gosolene was kept at the hereinafter named locations, and of intention to continue so to do for the ensuing year, viz.:

Alvan T. Fuller, Malvern street and Commonwealth avenue, Ward 25.

Stephen Bradford, 145 Norfolk street, Ward 24.

George C. Fitzpatrick, sloop "Agawan," Boston Harbor.

Placed on file.

INFORMATION CONCERNING PARKMAN FUND.

The following was received:

City of Boston,
Law Department, October 13, 1911.

To the Honorable the City Council:

Gentlemen,— I am informed by the City Clerk that the City Council has under consideration an order appropriating $3,000 from the income from the Parkman Fund for the following item: "Castle Island, New Water Supply, 4-inch pipe," and that the Council would like my opinion as to whether or not under the provisions of the will of Mr. Parkman the money can be legally appropriated for this purpose from the income of the Parkman Fund.

In my opinion the money cannot be legally appropriated for this purpose from the income of the Parkman Fund. In my opinion Castle Island, the fee of which belongs to the United States government, is not a park within the meaning of the Parkman will. In addition to this reason is the fatal objection that Mr. Parkman provided in his will that the income of the fund should be expended for the maintenance and improvement of the Common and parks existing at the time the codicil was made, which was January 12, 1887. The custody of Castle Island was not given to the city by the United States government, according to the Auditor's reports, until 1890. The fact that it has been placed in charge of the Park Department, connected by a bridge with the Marine Park and used as a part of that park does not make it a park of the City of Boston existing in January, 1887.

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

The communication was declared referred to the Executive Committee.

Coun. KENNY—Mr. President, if there is no objection I shall be very glad, as it refers to the same subject, to call up No. 3 and ask that it be indefinitely postponed.

The Council voted to take up No. 3, special assignment, as follows:

3. Order appropriating from the income of the Parkman Fund the sum of $3,000 for Castle Island, New Water Supply, 4-inch pipe.

Coun. KENNY—Mr. President, I now move that No. 3 be indefinitely postponed, in view of the opinion of the Corporation Counsel.

The Council voted to postpone No. 3.

The communication from the Corporation Counsel was placed on file.

CONFIRMATION OF APPOINTMENT.

President COLLINS took No. 2, unfinished business, from the calendar, viz.:

2. Raymond C. Dinsmore, to be a Weigher of Coal for the term ending April 30, 1912.

The question came on confirmation. Committee—Coun. Ballantyne and Hale. Whole number of ballots cast 7, yeas 7, and the appointment was confirmed.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses for eight newsboys, one bootblack and one vendor—recommending that licenses be granted.

Reports accepted; licenses granted on the usual conditions.

BRANCH LIBRARIES.

Coun. ATTRIDGE, for the Committee on Branch Libraries, submitted the following:

(1) Reports on messages and orders—recommending reference of same to the Committee on Finance, viz.:

Message and order (referred May 22) transferring appropriations for Branch Library, Charlestown, Estate, and Branch Library Charlestown, Alteration and Completion, to an appropriation for a Branch Library, Charlestown.

Message and order (referred June 26) transferring the sum of $30,000 from the appropriation for Reserve Fund to an appropriation for Branch Library, Charlestown.

Reports accepted; said references ordered.

(2) Report on message and communication (referred September 11) giving estimate of cost of Branch Library, East Boston—that the same be placed on file.

Report accepted; said papers placed on file.

(3) Report on message of Mayor and order (referred May 31) relative to library at North Bennet street—that no further action is necessary.

Accepted.

SOLDIERS' RELIEF.

Coun. HALE, for the Committee on Soldiers' Relief, submitted a report recommending the pass-

age of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of October.

Report accepted; order passed.

NOTICE OF STATE ELECTION.

Coun. HALE offered an order—That the City Clerk be and is hereby directed to give notice, by advertising the same as required by law, that meetings of the citizens of this city qualified to vote for state officers will be held at the several polling places designated for the purpose by the Board of Election Commissioners, on Tuesday, the seventh day of November next, for the election of Governor, Lieutenant-Governor, Secretary of the Commonwealth, Treasurer and Receiver General, Auditor of Accounts, Attorney General, Register of Deeds, Clerk of the Supreme Judicial Court for the County of Suffolk, Clerk of the Superior Court for Civil Business, Clerk of the Superior Court for Criminal Business, Councilors, Senators and Representatives in the General Court as follows: one Representative in Ward 7, three in Wards 4 and 5 (said wards constituting one district), three each in Wards 20 and 24, and two each in the remaining wards. Also to give in their votes "Yes" or "No" in answer to the following questions:

Shall the proposed amendment to the Constitution, increasing the power of the Legislature to authorize the taking of land and property for highways or streets, be approved and ratified?

Shall the proposed amendment to the Constitution authorizing the use of voting machines at all elections, be approved and ratified?

Shall an act passed by the Legislature of the Commonwealth in the year nineteen hundred and eleven, entitled "An Act to Annex the Town of Hyde Park to the City of Boston" be accepted?

Shall there be an election for Mayor at the next municipal election?

The polls at said meetings will be opened at six o'clock a. m., and closed at four o'clock p. m.

Passed.

PLAYGROUND, JAMAICA PLAIN.

Coun. BALLANTYNE offered an order—That the Superintendent of Public Grounds be authorized to hire for playground purposes during the current year the Goodwin estate on Carolina avenue, Jamaica Plain, and to pay therefor the sum of $1 and the taxes assessed on said estate for the present year, the amount so paid to be charged to the appropriation for Public Grounds Department.

The question came on the passage of the order.

Coun. SMITH—Mr. President, this matter is new to me. I wonder if Coun. Ballantyne would care to explain it.

Coun. BALLANTYNE—Mr. President, I would say that this is an order that has been passed the last two or three years. It simply abates the taxes on a playground that has been used by the city for several years. It is an order that has been passed in this Council for the last two years to my certain knowledge.

The order was passed.

MERIDIAN STREET BRIDGE.

Coun. KENNY, for the Committee on Finance, submitted a report on the message of Mayor, communications and order (referred August 22) for loan of $63,000 for the reconstruction of the Meridian Street Bridge—that the order ought to pass.

The question came on accepting the report and passing the order.

Coun. KENNY—Mr. President, in submitting that report for the Committee on Finance, I desire to say that, under chapter 581 of the Acts of 1911, the city of Chelsea and the towns of Winthrop and Revere are now called upon to bear their proper share of the construction and maintenance of this bridge as well as the other bridges set forth in that act, including the Chelsea North Bridge. I think it is a matter for congratulation to the City Council that the matter has taken this course, and that the time has now come when action may be taken by the city under chapter 581. A commission is to be appointed, if it has not already been appointed, by the Supreme Court for the purpose of apportioning the various amounts which each municipality will be called upon to pay.

The order was given its first reading and passage, yeas 8, nays 0, the second reading to be had not less than two weeks from to-day.

NEW POLICE STATION, SOUTH BOSTON.

Coun. KENNY offered an order that his Honor the Mayor be requested to ascertain through the proper department and advise this Council the probable cost of a new station for the Police Department, South Division, in South Boston.

Passed.

FINANCE REPORT ASKED FOR.

Coun. SMITH offered an order—That the Committee on Finance report at the next meeting of the City Council on all matters which have been pending before said committee for three weeks or more, or ask for an extension of time to consider such matters.

Coun. SMITH—Mr. President, in offering this order I do so in no spirit of hostility, but simply in the effort to expedite matters and in the effort to have the Council, after having formulated an opinion as to what improvements the city should have at the present time, take some action, bearing in mind the amount of money in the treasury and the borrowing capacity. It seems to me, in view of the number of matters that are pressing, the large number of matters before the committee, that this Council should act as the board of any corporation would act, that we should get together and decide what we favor and what we do not favor and be in a position to meet the Mayor and confer with him, in order to get some improvements through. The last meeting of the Committee on Finance was held to-day. Previous to that the last meeting was held July 7. At to-day's meeting the order was that the meeting was called for one special purpose, and only one special matter was taken up. It is unfortunate, it seems to me, to have meetings on the day when the Council is to meet, and I offer this order hoping that an extension of time will be asked for or that a meeting will be called on some day other than a Council meeting day, so that the Council can discuss the matter in a broad way and get down to facts and to action.

The order was declared referred to the Committee on Finance.

Coun. CURLEY—Mr. President, I would ask Coun. Smith if he has any idea as to the number of papers before the Committee on Finance at the present time?

Coun. SMITH—Mr. President, I think a list has been made up by the Clerk of Committees, and I took the trouble to foot that list up. There are eighty-two papers before the Committee on Finance. Of course, it is only fair to say that some of those are not active.

Coun. CURLEY—Mr. President, I would at this time move to amend the order as submitted by Coun. Smith by striking out that portion which provides for an extension of time.

President COLLINS—The Chair rules that the order has been referred to the Committee on Finance. The only motion that the Chair can entertain at this time is a motion to reconsider.

Coun. CURLEY—Mr. President, I most respectfully move to reconsider. In view of the statement made by Coun. Smith I believe it is about time to get down to business, and I trust that reconsideration will prevail.

Coun. BALLANTYNE—Mr. President, I shall have to vote against the motion to reconsider, for the reason that we had a meeting of the Committee on Finance to-day and it was arranged and agreed by all those present that a conference would be held between now and the next meeting of the Council, that all matters pending before the committee would be discussed and that if the committee thought it desirable the Mayor would be called into conference with us. In view of the agreement that has been made in the committee to-day I shall vote against reconsideration.

Coun. HALE—Mr. President, I think it a rather surprising thing that this motion of Coun. Smith's should have to be made, and I think it more surprising that any member of the Council should object to it, because I find in looking through the rules that the chairman of the Committee on Finance has been violating the rules for some time.

Rule 24 says: "Committees to which any matter is especially referred shall report within three weeks or ask for further time." The chairman of the Committee on Finance has not reported the things referred to the Committee on Finance within three weeks and has not asked for further time, and I should like to indorse what Coun. Smith has said, that no business organization could act in the way the Committee on Finance has acted—in the sense of not acting at all. We have large sums of money which we either ought to spend or ought not to spend. We have been asked to spend large sums of money for the benefit of the city, and not once this year have we had a general, satisfactory discussion of what improvements we should make and what improvements we should not make. No large railroad, no large corporation of any kind, would think of not holding directors' meetings frequently, when occasion arose, to decide what improvements should be made. Yet that is exactly the course that the chairman of the Committee on Finance has taken. I wish, for one, to go on record very strongly as opposed to that policy.

President COLLINS—The question is on Coun. Curley's motion that reference be reconsidered.

Coun. SMITH—Mr. President, may I rise to a point of information? Was the order referred to the committee before I spoke?

President COLLINS—Referred to committee by the President after the gentleman spoke.

Coun. SMITH—After I spoke?

President COLLINS—Yes.

Reconsideration of the reference was lost by a rising vote, 4 to 4.

ADDITIONAL SCHOOL, DWIGHT DISTRICT.

Coun. ATTRIDGE offered an order—That the School Committee be requested, through his Honor the Mayor, to consider and report on the advisability of establishing a schoolhouse of the grammar grade in the Dwight District.

Passed.

TREE PLANTING, DORCHESTER.

Coun. ATTRIDGE offered an order—That the Superintendent of Public Grounds be requested, through his Honor the Mayor, to plant suitable trees in Mt. Vernon street, Dorchester.

Passed.

HOME FOR INFIRMARY INMATES.

Coun. BUCKLEY offered an order—That his Honor the Mayor be requested to furnish a home on the mainland for the aged inmates of the Charlestown Almshouse when said almshouse is discontinued, and that the aged married inmates be granted the same treatment as they now enjoy.

Coun. BUCKLEY—Mr. President, at the time that the Charlestown Almshouse was established by the city of Charlestown the intention was, and it always has been carried out, that aged couples would be taken there and that they would not be separated during the day. That is, they could see each other during the day at all times. Of course, at night they were separated, one part being reserved for the men and one for the women. This does not necessitate any financial expense, or any expense on the part of the city, because I understand that out in the West Roxbury district, at the Parental Home, there is a cottage large enough and suitable for those aged people who have been in the Charlestown Almshouse for years. There is also, I understand, a building on Marcella street, a part of the Marcella Street Home, where those old people can be taken. Of course, in addition to the aged married couples there are other aged people now inmates of the Charlestown Almshouse. This does not include the young people who are in the Charlestown Almshouse but simply the aged people. I hope that the Council will pass the order without referring it to any committee, as it does not necessitate any expense on the part of the city. It is simply an order in the interests of humanity.

Coun. KENNY—Mr. President, I don't think we ought to pass that order without proper consideration. How about those now down on Long Island? There are a number there who might consider this discrimination. Why isn't it discrimination in favor of one set as against the other? It seems to me we must consider the question whether we are giving special privileges to some as against others, privileges to those to whom the gentleman's order refers that those now on the island cannot enjoy. I would like to hear the gentleman further on that matter.

Coun. BUCKLEY—Mr. President, I had not thought of that matter. The only thought that came to my mind was this, that these people have been in Charlestown for years and have enjoyed all these privileges. This almshouse came to the City of Boston when Charlestown was annexed, and the people who are now on Long Island would not undergo the same hardship that these people in the Charlestown Almshouse would undergo if they were transferred to Long Island and had to live according to the rules established there. These people in Charlestown are not inmates of that asylum because of their own improvidence. It is simply the fortunes of fate, or whatever you might call it. It seems to me we might very well pass this order. It is not such a hardship to go directly to Long Island as it is to go from this institution, where they have been for so many years, and I hope the gentleman will withdraw his objection. This is not for all time. It is simply until the old inmates of the almshouse now there will die out. That is all that is asked for, and I think it is only fair. I was talking with Miss Morris of the institution to-day, and she very strongly favors this action. She says the inmates there are crying and are broken hearted because they are afraid they will have to be separated after all these years.

Coun. KENNY—Mr. President, I have every sympathy with what has been said; nevertheless, I should expect if the Mayor took notice of the resolution and carried it into effect that it would create a very delicate situation. There would be people on Long Island who would feel that under the circumstances they might very well be brought to Boston and transferred to this other place that the councilor refers to. I would be glad, however, as a member of the Council to give further reflection and consideration to this matter, and such consideration can be given if the matter should lie on the table for a week or until the next meeting. But if it comes up now I feel that I shall have to vote against it.

Coun. BUCKLEY—Mr. President, even if the old people now on Long Island were transferred to the mainland, I don't think it would be such a hard proposition for the City of Boston to find the necessary funds to support them in the city proper, in view of the fact that the city already has buildings not in use which could be used. There are the buildings of the Marcella Street Home, an old institution. I understand a number of buildings there are not in use, and it seems to me they could be taken. If they are not in use now they never will be in the future, because it is such an old institution. Of course the Parental School at West Roxbury later on may be in use, I understand that perfectly; but it seems to me that the old poor people who are not to blame themselves for being the inmates of this institution must be taken care of, and I don't think it is really doing any injustice for the City of Boston to provide a suitable place for them during their closing days. A great many people in this Charlestown Almshouse have been wealthy and have given of their time and energy to the upbuilding of the City of Boston, and the city has profited by it; and now that they are unfortunate in their old age it seems to me that we might very well pass this order. Personally I am in favor of making things as easy as possible for them, as I know Coun. Kenny is. I understand perfectly his position, which is a just one. But I know he would not be opposed to an order, and neither would I, to have those old people from the Long Island Almshouse transferred to the mainland—that is, if they were not sent there because of their being improvident themselves. I hope he will withdraw his objection, not asking to have this laid over for a week, but that we may have a vote upon it at this time. It does not say that the Mayor must furnish these accommodations, but simply asks that the Mayor furnish them if possible. I am willing to amend by putting in the words "if possible."

Coun. KENNY—Mr. President, my only point is one of discrimination. I should be very glad indeed if it would add to the comfort of the poor people now on Long Island to have them brought to Boston. That is not my point. I am willing, wherever they shall be, that they shall be comfortable, and I am willing to vote money for that purpose. It is not that I want to keep the people

now at Long Island there, either. That is not my point at all. I am afraid of discrimination, one against the other. As I say, I am very glad to do anything that can reasonably be done to add to the comfort of these poor people, to furnish conveniences and to bring them to places where they will have the most comfort. But if we are going to proceed to extend the buildings on Long Island with a view to taking care there of these inmates of the Almshouse at Charlestown, I think we ought to do it intelligently, not expending money unless we know it is going to be used for certain specific purposes, and intelligently used. As I say, I am not really at a point where I wish to antagonize this at all. I think it ought to lie on the table for a week, giving us an opportunity to look it over. If I then see my way clear to vote for it I shall be glad to do so, but I cannot do so this afternoon.

Coun. BUCKLEY—Mr. President, of course I am not trying to discriminate in favor of the residents of the Charlestown Almshouse, because I am in thorough sympathy with all poor people, as I know Coun. Kenny is. I know that he looks at the matter from one standpoint and I from the other. But, in view of the fact that he wants to look into the matter and wishes it laid over for that purpose to the next meeting, I am perfectly satisfied with that action. Therefore, I move that it be put over to the next meeting.

The order was assigned to the next meeting of the Council.

COMMITTEE ON FINANCE PAPERS.

Coun. CURLEY offered an order—That in accordance with Rule 24 of City Council Rules all papers in possession of the Committee on Finance for a longer period than three weeks be returned to the City Council and placed upon the calendar for consideration.

President COLLINS—If there is no objection, the order will be referred to the Committee on Finance.

Coun. CURLEY—Mr. President, this order is introduced with a view of having those matters that are before the committee considered some time this year. Page 2 of the calendar to-day is laden with loan orders that have been recommended and that date from October 20, and run as far as December 8. I feel that if what Coun. Smith says is true, that there are in excess of eighty matters before the Committee on Finance, it is about time for this Council to consider some of those propositions. I did not attend the meeting of the Committee on Finance to-day, because I object, as a member of the committee, to a meeting of the committee being called by the chairman to consider only such matters as in the opinion of the chairman should be considered by the committee. I consider the chairman of no more importance on that committee than any other member of the committee, regardless of what he thinks himself with relation to his standing as a member of the committee. He is only one-ninth of the committee, the same as any other member, and I feel that every other man on the committee is just as competent to pass on the merits of any loan before the committee as the chairman. While he may feel that he has a perfect right to call that meeting for the consideration of one item, I want to say that I differ from him. The committee meetings should be called for the purpose of considering all matters in the hands of the committee, and for no other purpose. I have attended a number of meetings of the Committee on Finance this year. and the proceedings there, if conducted in the old days of the city government or Board of Aldermen, would be featured in every newspaper in town. Members of the committee assemble and an agreement is usually entered into—either entered into or implied—before the committee sits down, as to what matters shall be considered and acted upon and what matters shall not be considered and acted upon; and after such matters as are impliedly agreed upon have been considered a motion to adjourn is made, and a minority of the committee are denied an opportunity to discuss and consider certain matters in which they are personally interested. Personally I would like to see some consideration given by the Committee on Finance to the loan recommended by the City Hospital, some $297,000. It is really an institution chief among those institutions in which we take great pride in our city. For the last two or three years it has been seriously handicapped because of lack of accommodation. Some $70,000 was appropriated recently for the purchase of land at the corner of Massachusetts avenue and Harrison avenue, to be used as an addition to the South Department of the Boston City Hospital, and although that land has been available for that purpose now upwards of three months, still no move has been made by the Committee on Finance to recommend a loan sufficient to cover the construction of buildings on that site. I feel that that is one item that stands out prominently among the items that should be considered by the City Council of Boston. I feel that the public would approve of some action being taken on that particular proposition. As I stated to the chairman of the committee recently, personally I would vote in favor of taking it out of the Reserve Fund or any other place in order to have speedy action, because I believe it is a meritorious proposition and one that should be acted upon at the present time. That is only one of the many matters before that committee that should be considered, and I sincerely trust that this order will pass.

President COLLINS—The order is referred to the Committee on Finance.

Coun. KENNY—Mr. President, I was going to say a word or two in reply to the member.

President COLLINS—Does the gentleman move reconsideration?

Coun. KENNY—No, Mr. President.

Coun. HALE—Mr. President, I move reconsideration of the reference.

Coun. KENNY—I do not ask reconsideration.

President COLLINS—Coun. Hale moves reconsideration.

Reconsideration of the reference was lost by a rising vote, 4 to 4.

TRANSPORTATION OF PRISONERS FROM BRIGHTON.

Coun. ATTRIDGE offered an order—That the Committee on Prisons be requested to investigate the methods of transportation of prisoners from Brighton Courthouse to Deer Island boat and to Charles Street Jail.

Coun. ATTRIDGE—Mr. President, on Wednesday, August 9, a woman appeared before Justice Barnard of the Brighton District Court for the commission of a slight offence. The woman was fined $15, and, being unable to pay the fine, was sent to Charles Street Jail. The woman told me personally that she was taken from the Brighton Police Station, No. 14, on the seat of a van. She stated that the men who had been convicted that morning and who were sentenced to the jail or to the House of Correction were put in the interior of the van and that she was compelled to ride through the streets of Boston from Brighton to Charles Street Jail on the seat of the conveyance, between two men, one the driver of the conveyance and the other, I understand, Mr. B. Franklin Sanborn, the probation officer of the court. I think this is a matter which should be investigated by the Committee on Prisons. I believe that is the proper committee to investigate it. If the authorities of the Brighton Court have not a proper conveyance in which to properly and decently carry men and women from the Brighton Courthouse to the jail and the House of Correction, I say let the officials of that court appear before our Committee on Appropriations at the beginning of next year and ask for a suitable appropriation for a proper means of conveyance, so that people can be carried decently to the various places of detention. I have looked up the minutes taken by the official stenographer for the last two years of our meetings of the Committee on Appropriations, and I could not find that official from the Brighton Court appeared before our Committee on Appropriations and asked money for this purpose. I say there should be a proper conveyance for the carrying of prisoners from Brighton to the city proper, and I say it is a shame and a disgrace to the city to allow any woman to be conveyed in this manner. The woman told me that not only was she humiliated to the extent of riding on the seat of that conveyance, but that when the carriage was drawn up before the gate of the Charles Street Jail one of the men in a loud voice called out three times, "Gate! Gate! Gate!" thus attracting attention to this woman on the seat with these two men. I protest as a member of the Council against such transportation of prisoners,

he they men or women, and I trust that the Committee on Prisons will investigate the matter. I have here a copy of a bill which has been filed in the auditor's office under date of August 15, with the stamp of the Auditing Department, and under the date of August 9, the date on which this occurred, I find that there were seven persons sent either to the jail or the House of Correction from Brighton, one woman and six men. I think it is a disgrace that this woman should be humiliated as she was, being compelled to ride on the outside of such a conveyance. I trust that the Committee on Prisons will give this matter serious attention and consideration and will make recommendations, if necessary, to this Council for an appropriation for a proper and suitahle conveyance.

The order was referred to the Committee on Prisons.

AMENDMENT TO COUNCIL RULES.

Coun. SMITH offered an order—That the rules of the City Council are hereby amended hy striking out Rule 24.

President COLLINS—The order will be referred to the Committee on Rules.

Coun. SMITH—Mr. President, in offering this order, I do so presuming that the rule which we have twice acted upon this afternoon is ohsolete. Coming into this body this year for the first time I read carefully the rules. I have taken seriously the rules, as they hit my own committee. In the Committee on Public Lands I have seriously tried to keep up with all matters that have heen referred to the committee, and the same may be said of the Committee on Finance. I presume from the attitude of the Council that that rule is not to be taken seriously. I presume if a committee does not see fit to meet within three weeks and pass on an order referred to it——

Coun. KENNY—Mr. President, I would like to inquire what husincss is pending hefore the body?

President COLLINS—The Chair would rule that no husiness at present is pending hefore the Council.

Coun. CURLEY—Mr. President, I move reconsideration of the reference, and I will yield the floor to Coun. Smith, who desires to discuss the proposition.

Coun. SMITH—Mr. President, if I may be permitted to repeat, I heg to say that I have taken my duties in committees seriously this year, and that this rule has twice heen made ohsolete this afternoon. If that is the attitude of this hody, it would appear that the rule is unnecessary. I presume the chairman of the committee is under no ohligation to keep up with the business that comes hefore the committee. That rule definitely states that within three weeks his committee can either act on the matter hefore it, or come hefore this Council and have a continuance of time. The fact that it has not heen deemed necessary to even ask for a continuance of time, and the fact that we have this afternoon twice voted to do away with this rule in effect, leads me to ask that we do away with it in fact, and that it be stricken from the rules of the hody. I trust that if this is not done the chairmen of all committees will be expected to act promptly or else he called to account by this body. I stand here as chairman of two committees and gladly ask and welcome from this Council any criticism of my committee work. I ask them to take me to task, to call me to order under this Rule 24, in connection with matters referred to my committees. The majority of us in this Council were elected upon the recommendation and with the help of the Good Government Association of this city. That association is avowedly organized to let in the light upon city politics, to illuminate the records of men running for office, and, after they are elected, to keep track of their votes and to make clear to the voters of the city just exactly what is pending at City Hall. In so far as we do not perform our duty under our rules, in so far as we do not act with proper expedition, and in an open way in connection with the legislation of this Council, just so far are we running counter to the avowed purpose of the Good Government Association, and just so far we will be running counter to good government, in my opinion. I desire to set aside this rule or else to make it an active, working rule of this body.

Coun. HALE—Mr. President, I hope that the motion to reconsider the reference will be carried, and I hope seriously before voting that each memher will consider what he is voting upon. Coun. Smith is simply asking that action be taken to show whether this Rule 24 means anything or not. Those supporting this order are not asking anything else. It is not a question whether these orders should go on the calendar or not. I hope before the memhers of the Council exercise their rights and proceed to vote upon this order they will consider just what they are voting upon. This is a matter that should be considered very carefully, as the action we shall take will determine whether the Council believes in this rule or not.

The Council voted to reconsider the reference by a rising vote, 6 to 1, and the question came on the passage of the order.

Coun. KENNY—Mr. President, I trust that the order will be rejected. I have heen quite willing this afternoon to let certain statements go by the hoard here, for I saw no special ohject to be gained by discussing them. The gentleman from Ward 17 (Coun. Curley), as I recall it, spoke about the meetings of the Committee on Finance, stating that if it was understood just what was taking place there they would he featured in the public prints. I suppose that is true of all meetings that the member from Ward 17 attends, whether meetings of the Committee on Finance or meetings in the South End or Roxbury. Now, I am prepared to discuss these financial questions when it shall be proper or necessary. I am prepared to discuss them this afternoon But we agreed ahout two o'clock, or quarter past two, that before the next meeting of the Council we would have a conference in reference to these improvements. Nobody has challenged the statement made here that there are eighty-two matters pending before the committee. Who says that there are? Who will say so on his own responsibility? The memher from Ward 17 says that somebody says, "Somebody told me so." Does he know anything ahout it? There have been many meetings of the Committee on Finance at which he has not heen present, meetings which have taken place when he has heen in Washington or traveling between Boston and Washington. What does he know ahout it when he talks ahout there heing eighty-two matters in the committee? I would like to ask him what he knows ahout it? I am quite willing at the proper time—and I think the proper time is coming in accordance with our agreement this afternoon—to discuss those matters. Almost $800,000 is lying in the Reserve Fund. My position and the position of other memhers of this Council has heen that that money should be spent for permanent improvements before we talk ahout horrowing money. But that is a question to be discussed by and by.

Coun. HALE—Mr. President, I rise to a point of order, that what the gentleman is saying is not relative to the suhject on which he is supposed to be speaking.

President COLLINS—The question is on the passage of the order. Gentlemen addressing the hody will please confine themselves to the order hefore the Council.

Coun. KENNY—Mr. President, I am quite willing to discuss any matters when they are before the meeting properly. Until then I am content to say that I shall vote against this order.

Coun. CURLEY—Mr. President, I do not feel that any defence of my position is necessary. I suppose there may have heen two meetings of the Committee on Finance that I have not attended this year. I don't know of more than two meetings. But I felt that it did not make any material difference whether I attended the meetings or not. I don't take back anything I have said with relation to the conduct of those meetings. The meetings were framed up. Everything acted upon in committee had heen agreed upon previous to the meeting, and the chairman of the committee knows it and everybody present knows it. In relation to the matters before the committee, there has heen a general discussion here, and I asked a memher of the Council who had investigated the matter for himself as to the numher of matters hefore the committee. I asked him in open hoard and he made a statement on the authority of the Clerk of Committees, who has charge of the committee papers. I suppose he was lying, too.

President COLLINS—The question comes on the passage or rejection of the order.

Coun. SMITH—Mr. President, I hope that this order will he clearly understood. We are not voting at the present time whether we shall take matters from the Finance Committee or not. We are simply voting on the question as to whether

this hody cares to continue a rule that has been on the hooks since the Council was formed, which calls for a report within three weeks or provides that the committee shall request additional time from the Council. I think that rule an excellent rule. I am loath to vote for the order I have introduced, but in view of the fact that this Council has twice this afternoon stated by its vote that that rule is a nullity, that it amounts to nothing, I think this order is in point. Either one thing or another must be done hy this Council. Either it must amend its rules or live within them. Rule 24 clearly says that a committee shall report within three weeks or ask for further time, and I have introduced an order here this afternoon asking that the Finance Committee, which has not met since July 7 until this afternoon, and which then only considered one matter, either act on the matters before it or else ask for an extension of time on those matters. That is a perfectly fair request. I should have welcomed the same request from any memher of the Council in relation to the Committee on Puhlic Lands, of which I happen to he chairman. I have abided by that rule and have taken it seriously, and why should not other chairmen take it seriously? If it has any effect, if it is of any avail, why not live up to it? If not, why not strike it out altogether? If we are not going to act under the rule, let us do away with the rule.

Coun. HALE—Mr. President, I would like simply to say that in my opinion this amendment, taking this Rule 24 out of our rules, ought of course to be defeated; that it is a very good rule; that we have had it on the hooks all the time, and to-day is the first time I have seen it openly violated. I hope it will he realized that if a member votes against the order to take out this rule, he is voting in favor of the provisions of the rule from the heginning of the year—to have a committee report on a matter hefore it in three weeks or ask for further time; and that if he votes for this order he is in favor of letting committees keep matters just as long as they like.

The order was declared rejected. Coun. CURLEY douhted the vote and asked for the yeas and nays. The order was rejected, yeas 0, nays 9.

ELEVATED STATION, BROADWAY.

Coun. ATTRIDGE offered an order—That the Boston Elevated Railway Company be requested, through his Honor the Mayor, to consider the advisahility of erecting an elevated station at Broadway and Washington street.

Passed.

FINANCE COMMITTEE REPORTS.

Coun. SMITH offered an order—That the Finance Committee report on matters that have heen hefore it three weeks at the next meeting or ask for an extension of time.

President COLLINS—The order will be referred to the Committee on Finance.

Coun. SMITH—Mr. President, in view of the vote just taken, keeping Rule 24 active, it seems to me we are now in a position to take up the order that we originally passed upon this afternoon. That order asked that the Finance Committee——

Coun. HALE—Mr. President, I move reconsideration of the reference to the committee, and will then yield the floor to Coun. Smith.

The question came on reconsideration of the reference.

Coun. SMITH—Mr. President, in view of the action we have just taken on Rule 24, namely, that we desire to keep this rule as one of the active rules of the Council, that we desire to have committees report within three weeks or else ask for an extension of time—I have introduced the order that the Chair has just read. That calls for the Finance Committee to make a report on matters that have been hefore it for three weeks or else ask for an extension of time. It is useless for particular committees of this Council to he expected to act under that rule, if other committees are not expected to do so. There has heen some discussion as to whether the Finance Committee really has a congestion of business before it. I have stated that there were eighty-two matters hefore that committee, and in support of that statement I have looked over four typewritten sheets that the Clerk of Committees has favored me with, giving a statement of the papers before the Finance Committee. Many of the matters have been passed upon, hecause the Finance Committee dallied with them so long that they were passed upon otherwise. That is noticeahly true of the $300,000 for sewers, which we did not take up and pass upon in the Finance Committee until at last the Council had to pass an order for $295,000. It is also true of the order in regard to the hospital. It is true of the order in regard to Norfolk street. It is true of many matters. It is true of the Meridian Street Bridge, which was not passed to-day until the last minute. It is true, as Coun. Curley has said, of a large numbers of matters on the second sheet of our calendar to-day. As a matter of fact, I helieve there are hefore the Committee on Finance three orders and one message referring to Norfolk street alone, two orders referring to Union Park street, one order and six messages referring to the hospital, and two more referring to the Consumptives' Hospital. I claim that that is congestion of business. I claim that I, personally, would not he justified in allowing, if I could avoid it, a committee with which I had anything to do to act in that way. I do not think it is a proper handling of the city's business. We are a Board of nine, elected hy the people of Boston, who thought we were going to treat the city's business as the business of any corporation would he treated. They thought we were going to sit as a Board of Directors and act on the business of the citizens of Boston. That was their understanding, and here we are with matters coming hefore us, which we put into committees, where they are huried, where we do not even act upon them as our rules provides that we shall. We have not discussed matters properly in the Committee on Finance, and I defy the chairman of that committee to state an instance where we have had a good, hroad, general discussion of matters pending before the committee. It seems to me there is no sense in our creating rules if we do not endeavor to live up to them. We have had seven meetings of the Committee on Finance this year. To-day we had a meeting, and underneath the call was written, "To consider the Meridian Street Bridge." That call was sent out after Coun. Kenny had in open Board last week said that there would be a meeting of the committee. As I rememher it, at the time—I am open to correction—he made no proviso that the meeting would he called to consider the Meridian Street Bridge, a comparatively unimportant matter, that would have gone through anyway. Of these seven meetings of the Finance Committee two others were called on the same day that the Council met. Now, it is a fact that we cannot meet in committee just hefore a Council meeting and take a hroad, general view of the finances of the city. We ought to have a whole afternoon to consider the objects before us, getting together as a Board and discussing them and getting the assistance of the views of the different memhers. I would certainly welcome an opportunity to sit down and discuss the matters brought hefore us in a fair-minded way, so that we might come to some intelligent conclusion. If we did that we would he in a position to go to the Chief Executive of the city and ask that he get together with us and pass certain matters. But we have had no such meetings. As I say, three of the seven meetings have been held just prior to meetings of the Board. At none of the meetings has there been opportunity for proper discussion. I am not trying to he personal. It strikes me that our duty as councilors of the City of Boston requires that we give some time and thought to the consideration of important matters coming hefore us, that we are to act as judges in regard to the business of the city and in regard to its financial condition, and that we should sit down and discuss things in a broad, fair-minded way, arriving at some result—not endeavoring to postpone matters of great public importance indefinitely. Now, as we have said that Rule 24 shall stay in effect, as we have heen unanimous in wishing that rule to apply to our committees, why not apply it at once to the Committee on Finance?

Coun. KENNY—Mr. President, there is one thing in which I agree with my friend who has just taken his seat. When he says that he needs the assistance of other members of the committee I think he has stated the situation with great accuracy. I think he does need the assistance of other memhers of the committee, not only on financial matters hut on other matters.

Coun. HALE—Mr. President, I move that that be stricken from the record as unparliamentary and having nothing to do with the subject before us.

Coun. SMITH—Mr. President, I would ask that it be kept in the record.

President COLLINS—Coun. Kenny bas the floor. Does he yield the floor?

Coun. KENNY—He does not, Mr. President.

Coun. HALE—Mr. President, I rise to a point of order, that the remark is out of order and should be stricken from the record.

President COLLINS—If there is no objection, it will be stricken from the record.

Coun. CURLEY—I object, Mr. President.

Coun. KENNY—And I also object, Mr. President.

President COLLINS—Objection having bcen made, it stands on the record.

Coun. KENNY—Mr. President, the gentleman has arisen and has undertaken to criticise the Committee on Finance in a very broad manner, and he has not hesitated to do so on personal lines. He has mentioned names here in violation of the proper rules of this body, and his senior, the other member from Ward 11, is very prompt to come to his assistance when I take occasion to remind the Council and him that I think he does need the assistance of the Council on this pending matter and on other matters. I repeat those words, and I stand on them. I think the member's financial policy and that of the other member from Ward 11 reflect no credit on the Council of this year. I want that to stand on the record.

Coun. HALE—Mr. President——

Coun. KENNY—Mr. President, when I have finished the gentleman will be entitled to the floor, but I don't think I should be required to submit to any further interruption. Here, on four pages, the gentleman would lead us to believe there are set forth eighty-two matters that are before the Committee on Finance and that should be attended to. Why, some of these go away back to 1910 — a lot of lame ducks that have died a natural death, many of them, some of them being kicked out of the Committee on Finance.

Coun. SMITH—Mr. President——

Coun. KENNY—Mr. President, I am talking now.

Coun. SMITH—Will the gentleman yield?

Coun. KENNY—No, not now, Mr. President.

President COLLINS—Coun. Kenny has the floor.

Coun. KENNY—Mr. President, we are told that there are eighty-two matters. Many of these matters date back to 1910. The first matter is dated February 7, 1910. They are in large part matters tbat have been passed upon in one way or another, and some of them, as I say, kicked out of the committee and rejected by this Board. Some of them are referred to two or three different times,—and yet members come in here and try to represent that the Committee on Finance has eighty-two matters pending before it. I have not added up tbese papers, but I will stake my reputation, whatever it may be worth, on the fact that there are not eighty-two matters pending before that committee—and that is a statement of fact that I want verified. I wish to have it verified. I remember last summer, when we bad a meeting of the Committee on Finance, when my friends, the senior and junior members from Ward 11, bad no hesitation in tying up the business of that committee and holding matters in the committee that rightfully belonged before this body. Had it not been for the interference of the Mayor, the $40,000 for the "Vigilant" would have been a loan to-day, an obligation of the city. Then there was tbe additional $60,000 given to East Boston, when some of us thought that they should get along with less on the police station and courthouse. Tbere were some of us who thought that that matter ought to be reported back for discussion, but the two gentlemen from Ward 11, the two financiers of this Board, voted to bold it in the committee. As far as the Meridian Street Bridge is concerned, the gentleman apparently regards that as a matter of trifling importance, but if it had not been for tbe policy of the Board the legislation would not have been enacted and the city of Chelsea would not have been called upon to pay a proportion of the cost of the building and maintenance of that bridge. These are trivial matters, forsooth, and a member of this Board is not allowed to get up and state the facts without tbe member from Ward 11 challenging the truth and accuracy of his statement. I sincerely trust that this order will not prevail.

Coun. SMITH—Mr. President, I always welcome a discussion based on facts. I have stated—and I will leave it to the stenograpber—that there were eigbty-two papers before the Committee on Finance. I did not say there were eighty-two matters. I was very careful in my statement in regard to that matter. I beg leave to submit a list, if the Council will pardon my reading it. This is a list of the papers pending before the Committee on Finance, unless the Clerk is wrong. The matters of 1910 and of this year are specified:

	1910.
Petition, South Boston Citizens' Association, park improvements	Feb. 7.
Order, Norfolk street widening, $260,000	Feb. 14.
Order, library, Charlestown, $45,000	Marcb 7.
Garbage incinerator, $300,000	March 7.
Order, hospital buildings, fireproofing, $60,000	Marcb 21.
Order, McKenzic Beach, $1,500	April 4.
Finance Commission communication, Ward 13 Playground	April 11.
Order, Strandway Playground, $14,000,	May 2.
Order, Old Colony avenue, $26,700	May 2.
Petition, Metropolitan Improvement League, tree planting	May 9.
Order, $15,000, Dewey Beach	May 16.
Message, improvements, Hospital Department, $230,000	May 16.
Message, relating to lighting of school halls	May 23.
Order, park, Meeting House Hill, $49,000	May 23.
Petition of John A. Dodd *et al.*, ball ground, Ward 16	June 3.
Message, Curtis Hall reconstruction	June 13.
Order, North End Library, $50,000	June 13.
Order, street lighting, $180,000	June 13.
Order, North End Park, $35,000	June 13.
Message, Improvements on parks and playgrounds	June 13.
Message, convenience station, Central Square Park, $10,000	June 13.
Order, engine, Parker Hill, $25,000	June 20.
Order, library, Ward 25, $25,000	June 20.
Order, Curtis Hall, reconstruction, $60,000	June 20.
Message, court execution, $744.77	June 27.
Order, park, Ward 25, $27,000	July 6.
Message, Paine land for hospital	July 18.
Message, Finance Commission report, street lighting	July 22.
Order, widening Union Park street, $95,000	Aug. 1.
Order, playground, Ward 25, $15,000	Aug. 1.
Message, Repair Shop, Fire Department	Aug. 22.
Message, land for hospital	Sept. 12.
Finance Commission report, 1910 loan bill	Sept. 19.
Message, Columbus Monument, $25,000	Oct. 10.
Order, laying out Higbland avenue, $40,000	Nov. 14.
Message, purchase of property, Albany and Dover streets	Nov. 28.
Message, new buildings, bospital, $297,800	Dec. 12.
Message, subway, Bay street	Dec. 12.
Message, lighting equipment, $310,000, incinerator, $75,000	Dec. 19.
	1911.
Message, vault, etc., City Hall, $18,000,	Jan. 2.
Forest Hills Improvement Association, playground	Jan. 16.
Message, land on Albany street for Fire Department	Jan. 30.
Order, estimate of cost of construction,	Feb. 6.
Order, Bay Street Tunnel	Feb. 13.
Order, widening of Norfolk street, $100,000	Feb. 13.
Message, transfers to Strandway, etc	Feb. 13.
Message, new buildings, Contagious Department, hospital	Feb. 20.
Message, etc., footbridge, Clifford st.,	Feb. 20.
Message, city borrowing capacity	Feb. 20.
Order, Dewey Beach, $15,000	Feb. 20.
Message, Norfolk street widening	March 6.
Order, municipal building, Ward 7	March 13.
Message, general improvements	March 27.
Petition, playground, Jamaica Plain	April 3.
Message, playground, Roxbury Crossing	April 3.
Message, loans for parks and playgrounds	April 10.
Order, locker buildings, playground, Ward 23	April 10.
Message, purchase of playgrounds	April 24.
Committee report, library, North End, $85,000	May 1.

	1911.
Order, Courthouse, etc., Charlestown, $80,000	May 1.
Order, Courthouse, South Boston, $65,000	May 1.
Order, municipal building, Ward 7, $75,000	May 31.
Public Works Department, loans asked at district meetings	May 31.
Message, loans of $130,000, Consumptives' Hospital	May 31.
Report of Finance Commission, Meridian Street Bridge	May 31.
Message, loan for South Department, hospital	June 13.
Playground, Ward 2, $50,000, message,	June 26.
Playground, Ward 17, petition	June 26.
Message, playground, Ward 19, $40,000	June 26.
Message, Courthouse, East Boston	July 7.
Message, Courthouse, East Boston	July 7.
Order, $297,800, hospital	July 7.
Message, Bath Department, additional beach, L Street	July 17.
Message, loan, $63,000, Meridian Street Bridge	Aug. 22.
Message, loan, $35,000, pier and fireboat quarters	Sept. 11.
Message, loan, $75,000, Union Park street	Sept. 11.
Message, cost of municipal building, Ward 7	Sept. 11.
Message, improvements, South Department, hospital	Sept. 11.
Message, Providence street grade, $25,000	Sept. 18.
Message, playground, Ward 19, $40,000	Sept. 18.
Message, Norfolk street widening, $150,000	Oct. 2.
Message, $50,000, Consumptives' Hospital	Oct. 2.

Of course my facts may he wrong; of course the Clerk of Committee's facts may he wrong. But those are the facts as he has presented them to me. Those are the papers hefore the Finance Committee. Those are eighty-two papers, if my footing up is correct. Those I deem to he an undigested mass of husiness which it is improper for a committee to keep before it under Rule 24, which we have to-day insisted on keeping as a rule of this Council. Either that rule should be stricken from the hooks or the rule should he made operative and the Finance Committee should take up this great mass of matters before it. I don't wish to be personal, and for that reason I requested that any personal remarks made hy Coun. Kenny should he kept on the records of the meeting. It has heen my purpose all through the year to avoid personalities. I don't think we have gained anything by indulging in personalities in this Council. We were elected to deal with the city's husiness as the board of a corporation—not to hicker or squahhle but to deal with the business of the citizens in a hroad and intelligent way. We have never heen ahle to deal with the finances of the city in a broad way because of the attitude of the committee; and for that reason I am simply asking that we have those matters hrought before the body as a whole, or else that the committee ask for an extension of time. In view of the rule that the committee is acting under, I think that is a perfectly legitimate request. As I have said, I have attempted to live under that rule myself as a memher of the Puhlic Lands Committee, and I think it is no more than fair to ask the chairman of the Committee on Finance to deal with matters before that committee in the same way. Speaking for the Committee on Public Lands, I welcome and shall be glad at any time to receive instructions. I am glad this afternoon to have received instructions—although perhaps I have not profited hy the personalities that Coun. Kenny has indulged in. I sincerely hope this order will go through.

Coun. KENNY—Mr. President, the papers read here to-day are copies of papers which I had printed last week. I went to the Clerk of Committees or his assistant and requested him to prepare a list of these papers. Now all the talk ahout these matters comes from the fact that the gentleman has come into possession of the copy of a paper which I had prepared last week for the use of the committee. I am going to correct him in one or two respects, as usual. I said here last Monday that I would call a meeting of this committee—that is, the Committee on Finance—in order that we might take up the Meridian street matter at least. Now it is well known that when a meeting of the committee is called, even for a specific purpose, a majority of the committee attending the meeting may transact other husiness. I have so ruled heretofore in the Committee on Finance. I saw a necessity—or at least I thought I did—of calling a meeting for the purpose of making a report on the Meridian street matter, and I so stated in the call. Nevertheless, a majority of the committee had a right to come in and transact such husiness as they saw fit to transact. So the gentleman's suggestions ahout my modifying the call are really of no special moment at all. The fact still remains that there are a lot of matters in the committee that are dead—as I term them, lame ducks. Why, meetings of the Committee on Finance have never been frequent, and I am told that in the first administration of Mayor Hihhard there was not a single meeting of the Committee on Finance. But, hecause we are not continually heing called together for the purpose of running through matters or accepting propositions to create loans, we are either called delinquent or told that we are not attending to our duty. Why, Mr. President, you and other memhers know that if we had responded last year to requests for loans there would have heen enormous amounts expended which we might have seriously regretted. Take the matter of incinerators. My friend from Ward 11 was very anxious ahout incinerators—wanted to spend $300,000 a year ago last summer for incinerators. What is the result to-day? They don't know whether they want incinerators now. But, as I say, I helieve hy the next meeting of the Council, after we take these matters up, we will he ahle to sift out such matters as should he sifted out. and if there are some matters pending which are ohnoxious to my friend from Ward 11, old and stale matters, and he does not wish to see them there, I will vote to make him a present of them, personally. I am told this afternoon that the Mayor has considered and is ahout to send in—and prohahly has sent in to this Board—an appropriation of $35,000 for fireboat quarters and pier, Northern avenue, and $25,000 for the making of highways, taking the place of items that it had been proposed to provide for hy loan. If that is so, I helieve the Mayor is on the right track in spending money in the Reserve Fund for these permanent improvements and that too much credit cannot be given to him for that policy. That is my humhle opinion.

Coun. SMITH—Mr. President, of course the remarks of the last speaker in regard to the amount of money I have voted for in comparison with the amount ot money he has voted for, or that the majority of the Council have voted for, are entirely beside the point. He goes on the assumption that I am ready to vote for money more readily than he is or than the majority of the memhers of the Council are. But I simply ask that these various matters he run over and the total footed up, and I think you will find that I have voted for less money to he spent hy the City of Boston than he has. I rememher on that point one distinct case of a loan of $50,000 for a playground in Ward 20, and I remember that at the last meeting of the Council a matter of $3,000, through his committee, was asked for to lay a pipe to Castle Island, and I was the only one to vote against that—and today the Corporation Counsel says it is illegal to grant that. Other cases, I think, would come to his recollection if he would run down over the list. I have no doubt that I have voted for $100,000 less of appropriations this year than has Coun. Kenny. But that is entirely heside the point. The question is simply whether this Board cannot be called together in a Finance Committee meeting to discuss the needs of the City of Boston hroadly, to exchange ideas, to gain the knowledge that each memher has of the needs of the City of Boston. It is quite an undertaking to represent this whole city. I admit frankly that I don't know the needs of all the different localities, and I must say that I have been rather energetic this year in trying to get an intelligent idea of the matters coming hefore us. I welcome the suggestions of other members more intimate with different localities, and would like to see an interchange of ideas; but that sort of thing is choked off hy the fact that when a matter comes into the Board it is pigeon-holed in the Committee on Finance and that, as I have shown the situation, there are not meetings at which we can discuss matters in a hroad and intelligent way. All I am asking for—entirely aside from the personalities that Coun. Kenny is indulging in—is that he call a meeting of that committee, which he really is pledged to do under

Rule 24, and that we have some general discussion of these needs of the city. Then we can get together with the Chief Executive and find out what can be agreed upon, and can get it through the Council, getting down to action instead of postponing and postponing. For that reason I hope this order will go through. I consider that it emhodies a legitimate request; and I consider, in view of the fact that Coun. Kenny has voted to keep Rule 24 as a rule of this Council, that he must necessarily agree to bring in a report on those matters before the committee at the next meeting or ask for an extension of time.

Reconsideration of the reference to the Committee on Finance was declared lost. Coun. HALE doubted the vote and asked for a rising vote. Reconsideration was lost, 4 to 5.

Coun. HALE further doubted the vote and asked for the yeas and nays.

Reconsideration of the reference to the Committee on Finance was lost, yeas 4, nays 5.

Yeas—Coun. Buckley, Curley, Hale, Smith—4.

Nays—Coun. Attridge, Ballantyne, Collins, Kenny, McDonald—5.

The order stood referred to the Committee on Finance.

FIREBOAT QUARTERS, ETC.

The following was received:

City of Boston,
Office of the Mayor, Octoher 16, 1911.

To the City Council:

I am informed that the Committee on Finance is ready to recommend appropriations for firehoat quarters and pier at Northern avenue, and for the grading of Providence street, if the form of the orders is changed so that the money may be drawn from the Reserve Fund and not ohtained by hond issue. I see no ohjection to using the Reserve Fund for this purpose in this instance, and recommend the passage of the accompanying orders appropriating the sum of thirty-five thousand (35,000) dollars for firehoat quarters and pier, Northern avenue, and adding twenty-five thousand (25,000) dollars to the appropriation for Highways, Making of. At the same time I wish to withdraw the loan orders recommended for the same objects and considered at your meeting of Septemher 11 and Septemher 18.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of thirty-five thousand (35,000) dollars from the appropriation for Reserve Fund to an appropriation, to he expended under the direction of the Fire Commissioner, for firehoat quarters and pier, Northern avenue.

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor he and herehy is authorized to transfer the sum of twenty-five thousand dollars ($25,000) from the appropriation for Reserve Fund to the appropriation for Highways, Making of.

The order was declared referred to the Executive Committee.

Coun. CURLEY—Mr. President, for information I would like to ask the chairman of the Committee on Finance if he can inform us when the Committee on Finance decided on the policy set forth in this communication?

Coun. KENNY—Mr. President, I cannot do so.

Coun. CURLEY—Mr. President, I would like to ask what disposition has heen made of this communication.

President COLLINS—It has heen referred to the Executive Committee.

Coun. CURLEY—Mr. President, I most respectfully move reconsideration of the reference, and if that prevails I will move to lay the order on the table until we find out ahout this. I don't feel personally that anybody has a right to prejudge the way I am going to vote as a memher of the Committee on Finance, nor the way any other memher of the committee is going to vote, until we have had a chance to consider the proposition—and I have never had it hefore me for consideration as a member of that committee.

Coun. HALE—Mr. President, I hope every member will consider just the situation here before voting. I wonder if the memhers appreciate what this communication says, under date of October 16: "I am informed that the Committee on Finance is ready to recommend appropriations" for certain things. Now, the Committee on Finance has not acted officially since last July, and I would like to have an investigation made and would like to know who has heen representing the Committee on Finance, who has heen given authority to represent that committee in stating to the Mayor that the committee is ready to make certain appropriations? Even if the committee is not ready to meet and consider matters that ought to he considered, at least we need not have unauthorized representations of the position of the committee made. We should not have statements go forth as to what the committee is willing to do or is not willing to do without any authority for such statements.

Coun. KENNY—Mr. President, I sincerely hope that the reference will not be considered. I think this matter might very well be discussed in executive session.

Coun. SMITH—Mr. President, I would like to have my record go against this. I helieve it is ahsolutely unauthorized. The Finance Committee has not met since July 7. How anybody could say that the Finance Commiteee is in favor of certain things I don't see. I helieve that is high-handed. I helieve Coun. Kenny has taken upon himself altogether too much, for it is undoubtedly the chairman of the Committee on Finance who has misrepresented this thing to the Mayor. Either it is the chairman or else the chairman should vote for this reconsideration. If the chairman of a committee misrepresents to the Mayor of this city the attitude of a committee it is high time he should give some excuse to this Board.

Coun. KENNY—I merely wanted to say that I sincerely hoped that the memher from Ward 11 might not get personal.

Coun. SMITH—I think the remark is very well in point. I do hesitate to get personal, and I have tried to refrain from personalities up to the present time, although Coun. Kenny has time and time again tried to provoke me to it. I repeat now that the councilor from South Boston, Coun. Kenny, as chairman of the Committee on Finance, has misrepresented the committee to the executive of this city. He has either wilfully done it or negligently, and he owes the Council an excuse for so doing.

Coun. KENNY—Mr. President, I was not aware until now that I had heen charged with that. I await some information on that point. I didn't understand that I had heen charged with misrepresenting until now. That was the first time I had heard it. Do I understand the memher to say to the Council that I went to the Mayor and misrepresented something?

President COLLINS—Does the gentleman yield?

Coun. KENNY—Of course, I want you to answer. Mr. President, awaiting some further disclosure of this horrihle condition that has been described here, I will resume my seat.

Coun. SMITH—Mr. President, now that the gentleman is through with his remarks I would he glad to answer any questions which he puts. As I understand him he asks whether he is charged with misrepresenting the attitude of the Finance Committee to the Mayor. I say this,—as chairman of the Finance Committee he has either wilfully or negligently misrepresented the attitude of that committee to the Mayor or else he should explain why that appears in the letter.

Coun. KENNY—I don't quite see why I should explain anything in view of the charge that has heen made. I think it is up to the memher to prove that which he charges, and then let me explain. He has made a charge here which I think he should hack up. When he hrings some evidence I am prepared to offer some answer. Perhaps I don't quite understand what the memher means. He says I wilfully or negligently or with malice aforethought did something to the Mayor or at the Mayor's office, representing the Committee on Finance. Now I want to hear more about that. I am very anxious to hear more ahout it.

Coun. SMITH—Coun. Kenny wishes to hear more about it. The Mayor is under a misapprehension. He thinks the Finance Committee has met and decided on some action. Of course, many of us have wanted it to meet, the Mayor among others. He thinks the Finance Committee has met and has taken a definite attitude in regard to loans or appropriations. Now the Finance Committee has done nothing of the sort. It has not even met. The chairman of that committee has either misrepresented the attitude of that commit-

tee to the Mayor or else he should as chairman be interested to find out how the Mayor comes to be misinformed.

Coun. KENNY—Or else! Now I have misrepresented the attitude of the committee to the Mayor, "or else—." Now what is this else,—what else?

Coun. SMITH—Or else the Committee on Finance, through its chairman, should be interested to correct any misrepresentation or misapprehension on the mind of the Mayor. He is responsible for the Committee on Finance. Coun. Kenny is responsible for that committee, although the responsibility rests lightly upon his shoulders. The Mayor is under a delusion as to what the Committee on Finance's attitude is. He thinks they have had a meeting and have passed upon the financial policy of the city. They have done nothing of the sort. How did he come by that misapprehension? Either through the neglect or wilful misrepresentation of the chairman of that committee or some other means. If he came by it through some other means the chairman should take it upon himself to correct that misapprehension.

Coun. KENNY—Mr. President, it seems to me that from what has just been said the member from Ward 11 here and the Mayor must have had some conference over this. I haven't seen the Mayor at all. I haven't seen the Mayor on this matter. I did see Mr. Leahy this afternoon on my way to this meeting at half past one or quarter past one, telling Mr. Leahy I was going to attend a meeting of the Committee on Finance, and that I hoped the Mayor might do so and so. And the Mayor has responded to that hope. But as to saying that the committee had decided or were going to decide so and so, there is no justification for that, as far as I can see, and I wonder that the member doesn't go and find that out before making a charge of this almost indictable offence here before this Board.

Coun. HALE—I would like to have this read again to see whether there is any misapprehension.

Coun. KENNY—I object to that being read again. I don't think we have any misapprehension. We are all of average intelligence. We understand what that says. It is in the records now.

Coun. CURLEY—For information I should like to ask that that be read again.

President COLLINS—On a question of information the gentleman is entitled to have it read again.

Coun. KENNY—Yes. Let it be read again.

(The communication was read by the Clerk.)

Coun. KENNY—Now, Mr. President, let us not have any further misunderstanding about this. Some of the members here are very, very prompt and are apparently very anxious, by innuendo or insinuation, to suggest here that something has been said to the Mayor on behalf of the committee, which is not so. Unless I am very much mistaken one member of the committee here, the member from Ward 17— if I may state his name in order to distinguish him from the other member, Mr. Ballantyne — did call on the Mayor this afternoon and undertook to arrange a meeting between the Mayor and myself and some other members of the committee. And it was in consequence of that effort of the member from Ward 17 that we agreed, in the meeting of the Committee on Finance, to take up these matters with the Mayor at a later time, before the next meeting, and have a discussion. Now I said to the secretary of the Mayor that it seemed to me that that order for $150,000 for widening Norfolk street, if it were necessary, should come out of the Reserve Fund,—that I didn't see why Union Park street, for which an appropriation of $75,000 is proposed for the widening of the street should be taken from the Reserve Fund if we could not go further and take $150,000 for the widening of Norfolk street. Now I said that to Mr. Leahy as a member of this Council and as chairman of the Committee on Finance, intending to report to the Committee on Finance, when I met them, what the Mayor had to say on that subject. I also said to him that I thought those other items of $35,000 and $25,000 should properly come out of the Reserve Fund. Why? Because the Mayor at other times during the year has responded to the suggestions of this Council and has taken from the Reserve Fund matters which might be considered as permanent improvements. That is what took place between Mr. Leahy and myself. I didn't see the Mayor. He wasn't in his office. I should have seen him if he had been there. I am quite willing to take this up in executive session and with Mr. Leahy and state what took place. Why doesn't the member wait and not get nasty and excited and personal over this thing, as he has?

Coun. SMITH—I think I, as one member, and probably the whole Board, wish to thank Coun. Kenny for explaining this matter. He has explained just what he said to Mr. Leahy, how he didn't misrepresent the Committee on Finance, how he simply stated his personal views on these matters, and that therefore the misunderstanding must have arisen between Mr. Leahy and the Mayor. I thank Coun. Kenny for having explained the matter to us.

Reconsideration of the reference to the Executive Committee was lost.

MOTION FOR RECESS.

Coun. ATTRIDGE moved, at 4.45 o'clock p. m., to take a recess subject to the call of the President.

The motion was declared carried.

Coun. CURLEY—I most respectfully doubt the vote.

There being no objection Coun. ATTRIDGE withdrew his motion.

ACCEPTANCE OF MELVILLE ROAD.

Coun. CURLEY presented the petition of R. Mansfield, and many others, asking that Melville road be accepted and improved.

In connection with the petition Coun. CURLEY offered an order—That the Board of Street Commissioners, through his Honor the Mayor, be requested to accept and lay out Melville road, Ward 20.

The order was declared passed.

Coun. KENNY—Why shouldn't that order be referred to the Executive Committee? I don't know anything about that matter. I doubt if other members know anything about it. I move reconsideration and reference.

Coun. CURLEY—Mr. President, if the gentleman doesn't know anything about the matter he might ask that the Clerk read it again. I most respectfully at this time ask that for the information of the councilor on the other side that not only the order but the petition accompanying the order be read.

Coun. KENNY—Mr. President, I am quite willing to have the petition read, and the order. I merely stand up here declining to vote on a matter that I know nothing of at the present time. I understood the matter had been referred to the Executive Committee.

President COLLINS—The order was passed by the Council.

Coun. KENNY—I moved a reconsideration because it was declared passed. I wanted it reconsidered so that it could be referred to the Executive Committee. Then if it be proper I may vote for it. Now why should I vote for it?

(The order was read by the Clerk.)

Coun. CURLEY—Mr. President, I presume now that the member on the other side of the Chamber realizes that the order is a perfectly proper one and drawn in proper form, being merely a request of the Street Commissioners, through his Honor the Mayor, that a road that is built up throughout its entire length be accepted by the City of Boston. I presume, I say, that he will do the proper thing and withdraw his motion to reconsider.

Coun. KENNY—The gentleman is quite correct in his assumption. I do so.

The order was passed.

MORE TIME FOR FINANCE COMMITTEE.

Coun. CURLEY offered an order—That in accordance with the provisions of Rule 24 the Committee on Finance be granted one week in which to report upon matters now pending before the said Committee on Finance.

The order was declared referred to the Committee on Finance.

Coun. CURLEY—I most respectfully move reconsideration and trust that the order will be placed upon its passage to-day. I don't feel that any comment is necessary in connection with the order. It is simply a desire on my part that the Council live according to the rules under

which it is supposed that the Council is governed. Rule 24 provided that where a committee fails to report on a matter within three weeks after its being referred to the committee that the committee shall ask for further time. Now the committee has not asked for further time, and purely in a spirit of generosity I ask that the committee be granted one week further. I trust reconsideration will prevail and that the order will pass.

The question came on the motion to reconsider, and upon the motion being declared lost Coun. CURLEY doubted the vote and asked for verification by roll call.

Reconsideration was lost, yeas 4, nays 5.

Yeas—Coun. Buckley, Curley, Hale, Smith—4.

Nays—Coun. Attridge, Ballantyne, Collins, Kenny, McDonald—5.

PRINTING OF FINANCE ITEMS.

Coun. HALE offered an order—That the items now before the Committee on Finance, as read by Coun. Smith, be printed as a public document.

The order was declared referred to the Committee on Finance.

Coun. HALE—I move reconsideration of this reference. I hope very much that this will be done. I think if we cannot get a chance in any other way to study the matters that are now before us that we ought to have a public document published so that we may study it at home in our chambers instead of where we ought to, in the Committee on Finance.

Coun. BALLANTYNE—I hope the motion will not prevail, for this reason. We did have a copy of this document as presented by the councilor from Ward 11 upon the records to-day. And we each of us had the assurance of the chairman of the Committee on Finance that we would each be furnished with a typewritten copy between now and the time of the meeting, so that I don't think it is necessary to put the city to this expense.

Coun. HALE—Do I understand from the chairman of the Committee on Finance that we are going to get a document covering all these items some time in the course of this week? If I understand so from him I will be very glad to withdraw this.

Coun. KENNY—I should have thought that after the statement from the member from Ward 17 that that would have been sufficient without calling for any corroboration. That is why I did not rise to corroborate it.

Reconsideration of the reference to the Committee on Finance was lost.

PAPER TAKEN FROM FINANCE COMMITTEE.

Coun. SMITH offered an order—That the order for $297,800 on the addition to the hospital be taken from the Committee on Finance.

The order was declared referred to the Committee on Finance.

Coun. SMITH—I ask for a reconsideration of the reference to the Committee on Finance. The need for an addition to the hospital is pressing. The matter has been before the Committee on Finance for some time. It has been for a time in excess of three weeks. The Council this afternoon has voted to keep Rule 24 an active rule of this body, calling for a report on a matter within three weeks or an extension of time. The Council has also voted down an extension of time to the Committee on Finance. Therefore it might be embarrassing to the Committee on Finance to know what to do. It is not acting properly in continuing these papers before it. It has no extension of time, and as this matter is pressing and as we have all formed our opinion upon it we are forced by the action of the Council this afternoon to take up this matter. As I have stated, there is one order before the Finance Committee and six messages on this hospital. There are also two orders on the Consumptives' Hospital. But the order I have put in refers only to the addition to the hospital for contagious cases. Now I am not in favor of taking matters out of the committee's hands and dealing with them in open Board hastily, without time to consult properly. I am not in favor of that. I would not introduce this order except in an extreme case. The case is extreme now because the Finance Committee has refused to act. It has called no meetings to deal with this subject. We are unable to get together as a Board. It is unfortunate. I hesitate to say it, but evidently we are unable to get together because of the attitude of the chairman of the Finance Committee and a majority of this Council. We are unable to get together as a board of a corporation to sit down and discuss these matters. The most pressing of these matters should therefore be taken up in open Council. For that reason I ask that the hospital be dealt with this afternoon. I should prefer that we should discuss it in committee, where we could deal with it in relation to other matters. But we can't get a meeting of the committee. We can't make Rule 24 operative against a majority of the committee. Therefore I have introduced an order to take this matter up at once.

The motion to reconsider the reference to the Committee on Finance was declared lost, and Coun. CURLEY doubted the vote and asked for a verification by roll call.

Reconsideration was lost, yeas 4, nays 5.

Yeas—Coun. Buckley, Curley, Hale, Smith—4.

Nays—Coun. Attridge, Ballantyne, Collins, Kenny, McDonald—5.

ADDITIONAL TIME FOR FINANCE COMMITTEE.

Coun. CURLEY offered an order—That in accordance with Rule 24 of City Council Rules the Committee on Finance be granted two weeks additional time in which to report upon matters pending before said Committee on Finance.

The order was declared referred to the Committee on Finance.

Coun. CURLEY moved reconsideration of the reference; declared lost. Coun. CURLEY doubted the vote and asked for the yeas and nays.

Reconsideration of the reference was lost, yeas 4, nays 5.

Yeas—Coun. Buckley, Curley, Hale, Smith—4.

Nays—Coun. Attridge, Ballantyne, Collins, Kenny, McDonald—5.

RETIREMENT FUND FOR LABORERS.

Coun. CURLEY called up No. 5, past assignment, viz.:

5. Ordered, That chapter 413 of the Acts of the Massachusetts Legislature for 1911, entitled "An Act Relative to a Retirement Fund for Laborers Employed by the City of Boston," be and hereby is accepted by the City Council of Boston.

Coun. KENNY—I understand that the Finance Commission desires a little further time in making a report on this matter. They have already made a report on one of the acts on which we are to pass, but they have not reported on this, and they have asked for a further extension. Therefore I move that this matter be assigned to the next meeting.

Coun. CURLEY—Mr. President, I have no desire to discuss the merits of the proposition. They are as familiar to every member of the Council as they are to myself. But I do feel, on a proposition of this character, where the Finance Commission have impliedly taken a position and where the position of the City Council is generally known,—that is to say, to be favorable,—and where the bill itself is of such a meritorious and just character as is this bill, that so far as I personally am concerned the opinion of the Finance Commission on this proposition would in no way interfere with my action, and I question greatly whether it would interfere with the action of a majority of the members of this City Council. Now this matter has, in one way or another, been before the City Council since May of this year, somewhere in the neighborhood of four months. I believe we are in possession of about all the information that is necessary for us to have in order to act on the general principle, and while I am always desirous of being courteous, still this makes about the third assignment on this particular proposition to my knowledge within the last two months. I sincerely trust that assignment will not prevail and that the matter will be considered to-day.

Coun. BALLANTYNE—I believe this is the second assignment of this proposition. Some three weeks ago, I think, it was assigned, giving the Finance Commission a little further time to report on this and other matters. And, as I understand,

they have been very busy and been unable to take up this matter, but have promised to report within one week. Now I am, as the councilor on the opposite side is, entirely in favor of this bill, and will be glad to vote for it at any time, but I believe we ought to be courteous enough to give the Finance Commission one more week. For that reason I am going to vote for the assignment to one week for consideration of the Council.

The motion to assign for one week was declared carried, whereupon Coun. CURLEY doubted the vote and asked for verification by roll call.

The assignment to the next meeting was carried, yeas 7, nays 2, Coun. BUCKLEY and CURLEY voting nay.

SALE OF PARK LAND, BRIGHTON.

Coun. McDONALD called up No. 4, special assignment, viz.:

4. Report of the Committee on Public Lands, ought not to pass on the order authorizing the sale by the Park Commissioners of a parcel of land in Brighton, bounded southerly by Commonwealth avenue and northeasterly by Chestnut Hill avenue.

Coun. CURLEY—I would most respectfully move that the further consideration of No. 4 on the calendar be laid on the table until 5.30. I understand we are to have a meeting with the Park Commission at five o'clock, and it would afford an opportunity for the consideration of this proposition. And if no decision can be arrived at that is acceptable to the City Council and Park Commission it can be then disposed of.

The motion to lay upon the table further consideration of No. 4 on the calendar prevailed.

Later in the session the matter was taken from the table, on motion of Coun. BALLANTYNE, and the report was accepted and the order rejected.

MOTION TO TAKE RECESS.

Coun. BALLANTYNE moved that the Council take a recess subject to the call of the Chair; declared lost.

Coun. KENNY asked for a verification by yeas and nays.

Coun. HALE—Mr. President, I rise to a point of order, that Coun. Smith has already been recognized.

President COLLINS—The Chair has not recognized Coun. Smith. The question is on taking a recess subject to the call of the Chair.

The motion for recess was lost, yeas 1, nays 6, Coun. BALLANTYNE voting yea.

UNION PARK STREET WIDENING.

Coun. SMITH offered an order—That the order for widening Union Park street be taken from the Committee on Finance.

Coun. SMITH—Mr. President, as I understand the order for the widening of Union Park street, it was to be dealt with at to-day's meeting. It is not a matter which the Committee on Finance cared to act upon. It was simply put over till to-day so that certain members of the Council could inform themselves on the merits of the question. If I am wrong I hope I will be corrected. I stated at that time that I was perfectly willing to act at that time on Union Park street, but certain other members of the Council, I think Coun. Hale, for example, desired more time to look into the matter, and unless I am mistaken the matter was put over until to-day. Now it seems to me we have reached the time to deal with this matter regardless of whether it is before the Finance Committee or not.

Coun. KENNY—I would like to inquire from the member from Ward 11 where he got that order he has just introduced. I await an answer.

Coun. SMITH—Mr. President, it is hard to answer such an indefinite question. I hope Coun. Kenny will make it more specific.

Coun. KENNY—Mr. President, I will do so. Mr. President, isn't it a fact that he got that order from Coun. Curley, of Ward 17, within a few minutes, with a request from him to present it to the meeting.

Coun. SMITH—Mr. President, I am surprised that such a question is asked, but I am glad to answer it in the negative. I have had no communication from Coun. Curley on this subject within the last month, and I question why Coun. Kenny asked me such a question.

Coun. KENNY—The matter which is referred to in that order is now pending before the Executive Committee and that committee voted two weeks ago to take the matter up this afternoon in Executive Committee.

Coun. CURLEY—Mr. Chairman, I believe that Coun. Kenny owes me an apology. As Coun. Smith says, I have had no conversation with him during the entire day except at the distance across the Chamber, and had no intimation that he was going to introduce an order of this character. With relation to the particular order itself, the fact that there is an order for an appropriation before the Executive Committee hasn't any bearing on this particular order that is introduced by Coun. Smith, because after all there is an order No. 2 on the calendar, of the recommendations of the Mayor in effect after November 10, calling for a loan of $75,000, and if that is on the calendar then it must necessarily also be before the Committee on Finance. Coun. Kenny knows that, that the $75,000 that is before the Executive Committee is a recommendation of the Mayor in the nature of an appropriation, so that both orders and this additional order here are now before the Board for consideration.

Coun. ATTRIDGE—So that both orders might be discussed by the members of the Council this afternoon, I shall vote as one member of this Council, this order being a loan order which is now before the Committee on Finance, that it be taken from the committee, and then, if that passes I shall ask to have that loan order then referred to the Executive Committee, so that the members of the Council who desire to vote in favor of an appropriation for this improvement may do so, and those members of the Council who desire to vote in favor of a loan for this improvement may do so. For the benefit of all the members of the Council I think it would be best that the two orders, the loan order and the appropriation order, be discussed by the Executive Committee this afternoon at the same time, and therefore I shall vote in favor of this order.

Coun. KENNY—I am rather sorry to disagree with my friend from Ward 9 on this matter, but I think upon reflection he will see what the attitude of some of the members is here this afternoon. I don't believe that the attitude of my friend here on the left is in good faith. I don't believe that the gentleman who sits opposite there, from Ward 17, is acting in good faith. I question their good faith. These matters have been discussed for the last two hours. They are trying to drag in here something from the Committee on Finance. They were not anxious last July, when I undertook to bring in the report on the "Vigilant," but now their effort is to bring something in here. Now, Mr. President, this matter regarding the widening of Union Park street is coming up this afternoon before the Executive Committee, and I propose to vote in favor of it. I propose to vote to take that money as an appropriation and widen Union Park street. The gentleman who sits here knows that, I believe. Now what is their object,—what are they up to? I would again ask the member from Ward 9 to kindly reconsider his determination to vote to bring this thing in and to vote against it. I hope it will not come in from the Committee on Finance. We have this matter in concrete form before another committee, which we are going on this afternoon. Isn't that sufficient?

Coun. CURLEY—Mr. President, I also sincerely trust the gentleman from Ward 9 will reconsider the position he has taken. I think it would be highly unfortunate to have a break in the combination of five that controls matters here. It is very, very unfortunate. I hope he will reconsider. With relation to putting in loan orders, I want to say to the councilor on the other side of the Chamber that what he says is not true. I have presented no loan orders this afternoon. The loan order presented by Coun. Smith, the one for the City Hospital, and the one for the widening of Union Park street, are the only two loan orders that are before the Committee on Finance that have been brought up for consideration or discussion here. But I presented neither of those orders, nor called them up. They were both called up by Coun. Smith. So that when he says I am responsible for their being called up he is stating an untruth. Now, then, so far as this is concerned, I believe it can be acted on in the open just as well as in the committee, in

executive session or the Committee on Finance, or in some other place, and I sincerely trust it will he.

Coun. ATTRIDGE—Mr. President, I desire to say that I made the statements that I did make in reference to the loan order believing that the gentleman on the other side of the Chamher who comes from Ward 11 was acting in good faith, and knowing full well his ideas in regard to taking money for permanent improvements from loans rather than from appropriations. And it was only because of the fact that I thought he was acting in good faith that I was willing, as one memher of the Council, to vote that this order would pass, and I still believe that, not, of course, casting any reflections upon the gentleman from South Boston, I still helieve that the gentleman from Ward 11 was acting in good faith. That was the only reason for my statement.

Coun. CURLEY—Mr. President, I am somewhat at a loss herc. I am rather confounded by the statements from the gentleman of Ward 9 and the gentleman from South Boston, as to what constitutes acting in good faith. Is the presumption generally with those gentlemen that the only ones that can act in good faith arc those that share the same views they have? It would appear so. I am charged with acting in had faith in presenting orders when I don't present any orders, and Coun. Smith is charged with acting in bad faith when he presents an order that in his opinion should he considered hy the Board. I should like to have explained to my satisfaction what constitutes good faith and what constitutes had faith.

The motion to reconsider the reference was declared lost. Coun. CURLEY doubted the vote and asked for a verification by roll call.

Reconsideration of the reference prevailed, yeas 5, nays 4:

Yeas—Coun. Attridge, Buckley, Curley, Hale, Smith—5.

Nays—Coun. Ballantyne, Collins, Kenny, McDonald—4.

President COLLINS—The question comes on the passage of the order.

(The order was read by the Clerk.)

Coun. KENNY—Mr. President, I now ask that that order he read so that we may vote on it. Now that it is here let us vote on it. I am prepared to vote against it.

Coun. CURLEY—I move you, sir, that the City Messenger be directed to ohtain from the Clerk of Committees the order with reference to the widening of Union Park street, and hring the same to the Chamber.

President COLLINS—This order is still before the Council. It has not heen passed. The only order before us is that which the Clerk has just read.

(The order was read by the Clerk.)

Coun. CURLEY—My purpose in making that motion is that the order may be read here. The original recommendation is an order that is in the possession of the Committee on Finance. I believe we should have that here.

President COLLINS—The Chair rules that the only order before the Council is this order. If by unanimous consent the other order is hrought forward the Chair will order it to be hrought forward. It will have to be done hy unanimous consent.

Coun. HALE—I ohject.

President COLLINS—The question comes on the passage of the order.

Coun. KENNY—May I inquire if this is a motion to recall the matter from the committee?

President COLLINS—It is not. The Chair rules that the order is what the Clerk will read.

(The order was read hy the Clerk.)

On a rising vote the motion was passed, 5 in the affirmative and 4 in the negative, and the order was recalled from the Committee on Finance.

Coun. KENNY—Mr. President, I now ask that the order he read in order that we may vote on it. It is hefore the Council as I understand it now.

Coun. BALLANTYNE—I move you, sir, that we now take a recess suhject to the call of the Chair, so that we may keep our appointment with the Mayor and the Park Commission.

Coun. CURLEY—I rise to a point of order. The Board is considering at the present time action upon a measure that is hefore the hody, and a motion for a recess cannot he had.

President COLLINS—The Chair rules that the point of order is not well taken.

Coun. CURLEY—On the question of a recess, I feel, Mr. President, that propositions of this character should be met and disposed of as they should be, and I don't think that it is fair to make a motion for a recess after we have considered one phase of this particular proposition that is now hefore us. It is only a matter of two or three minutes delay and the paper will he here. If anyhody desires to discuss it of course it may take longer—but I have assumed that everybody here is familiar with it. At the last meeting of the Council it was stated here that some two members of the Board desired further time to visit this particular location, and I assume that they have had the opportunity to visit the particular location, and consequently are prepared to act to-day. Now what is to he gained by a recess? We simply delay the proceedings upon this proposition and place ourselves in rather an unfavorahle light with regard to the consideration of this particular husiness. Now I assume that a point of order will be raised and that in consequence I will he prevented from continuing to discuss this question of a recess, hut I submit that the only fair way out of this is to go ahead and dispose of this matter one way or the other.

Coun. BALLANTYNE—Ahout twenty-two minutes ago Coun. McDonald called up No. 4 on the calendar, and the councilor on the other side asked that it he laid on the tahle until 5.30 so that the Board might adjourn to keep an appointment with the Mayor and the memhers of the Park Commission, and I made a motion at that time that we take recess at the call of the Chair in order to keep that appointment, and I noticed that the councilors on the other side, several of them, prohahly all of them, voted against that motion for a recess. Now if the councilor on the other side was fair in laying that matter on the tahle for half an hour to keep the appointment, why not take the recess now to keep the appointment, when these gentlemen have heen waiting half an hour for us?

Coun. CURLEY—If I may he permitted, it is immaterial to me what action the Board takes on No. 4 on the calendar. They can dispose of it at half past five without giving proper consideration to it if they see fit. My only purpose in asking that it be laid on the table until we had consulted with the Park Commission was that an opportunity might he continued to us to be in full possession of all the facts with relation to that proposition. It is immaterial to me what disposition is made of it.

Coun. BALLANTYNE—I did not say that the councilor was interested in No. 4 on the calendar, hut I thought he was interested in keeping an appointment with his Honor the Mayor and with the Park Commission. As I understand, a messenger has come from the City Messenger's office within the last five minutes to say that the Mayor is anxiously awaiting the memhers of the Council, and I think that we ought to be courteous enough to wait on the Mayor, especially when he has made the request.

Coun. BUCKLEY—As the matter is now in the hands of the City Clerk I hope that the councilor may withdraw his motion in order that we may pass on it at this time. I think that is the fairest proposition. Most of us know how we are going to vote. We want to he fair and square with each other and give fair play to each other. I think it is not courteous on the part of the City Council, in view of the fact that a messenger had heen dispatched for those papers, to take a recess simply because a little time is wanted to talk the matter over in executive committee. I hope the councilor will withdraw his motion.

Coun. BALLANTYNE—I want to say right here that I have not made any motion for a recess for the purpose of getting time to make up my mind how to vote on the Union Park street question. I am prepared to vote for that now. I am prepared to vote for an appropriation. That order is in the Executive Committee. I have heen prepared for some time to vote on that question. I am also prepared to vote against this loan order; and I don't care whether it comes now or in an hour from now, hut I am also anxious to keep an appointment made with his Honor the Mayor.

Coun. BUCKLEY—Then I would ask the councilor to kindly withdraw his motion in order that the matter may be disposed of now.

The motion to take a recess, suhject to the call of the Chair, was declared carried. Coun. CURLEY douhted the vote and asked for the yeas and nays.

The motion to take a recess prevailed, yeas 5, nays 4:

Yeas—Coun. Attridge, Ballantyne, Collins, Kenny, McDonald—5.

Nays—Coun. Buckley, Curley, Hale, Smith—4.

The memhers retired at 5.21 p. m. and returned and were called to order by President COLLINS at 6.35 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Report on petition of Frank S. Abercrombie (referred to-day) for a permit for Eleanor Foubister, under fifteen years of age, to appear at Odd Fellows Hall, 515 Tremont street, on October 26—that permit be granted.

Report accepted; permit granted on the usual conditions.

(2) Report on message of Mayor and orders that in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be authorized to transfer the sum of $25,000 from the appropriation for Reserve Fund to the appropriation for Highways, Making of; and order in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor transfer the sum of $35,000 from the appropriation for Reserve Fund to an appropriation to be expended under the direction of the Fire Commissioner for Fireboat Quarters and Pier, Northern Avenue—that the orders ought to pass.

The question came on accepting the report and passing the orders.

Coun. HALE—Mr. President, I would like to say that I shall vote in favor of these orders because I find that my views that permanent improvements like this should come out of loan, and not out of appropriations, cannot prevail in the Council. I firmly believe that it is much better finance to take these out of loans and not from the Reserve Fund. I shall not go into my reasons, because the hour is too late, but I will merely say that I shall vote in favor of these orders because I think this work should be done and because I see that we have not the votes to provide the money as it should be provided. I vote for this without waiving my theory as to the principle involved.

The order for Fireboat Quarters and Pier was passed, yeas 9, nays 0.

The order for Highways, Making of, was read once and passed, yeas 9. Assigned for fourteen days for final action.

(3) Report on message of Mayor, communication and order transferring the sum of $23,442 to the appropriation for Health Department for cholera inspection expense—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

(4) Report on message of Mayor, communication and order that $2,500 be transferred to L Street Bath additions—that the order ought to pass.

Report accepted; order read once and passed, yeas 9, nays 0. Assigned for fourteen days for final action.

(5) Report on message of Mayor and order (referred October 2), transferring the sum of $75,000 for the widening of Union Park street, to be expended under the direction of the Street Commissioners—that the order ought to pass.

The question came on accepting the report and passing the order.

Coun. SMITH—Mr. President, regardless of whether it is to be a transfer from the Reserve Fund or a loan, I am forced to vote against this proposition because it does not seem to me that the widening of this street is at all important to the general public, as it is not a connecting link between two main thoroughfares and as it is in no way bound up with the traffic of the city. My vote will be given without any prejudice whatsoever. In the first place, I can find no precedent for helping a private owner in the development of his property; in the second place, even though the development of this property would add to the assessed value of the city so that it might be charged off in that way in the future, even then it seems to me we are not justified in helping any private owner. Therefore, regardless of whether this is a transfer from the Reserve Fund or a loan, I feel obliged to vote against it.

Coun. CURLEY—Mr. President, I do not feel that Coun. Smith has given proper consideration to the remarks that he has just uttered and which will be entered upon the records of the City Council. I don't feel that this is a case of benefiting a private owner directly. I feel that if the city were in the same position to-day that it was when this proposition was first agitated, fifteen years ago, when the property was less valuable than it is to-day and when the movement on foot at that time was one to compel the city to pay $110,000 in excess of what it is to pay to-day, it might be considered a case where not only a private owner but private individuals and bonders of land would benefit. But in this proposition one individual has the courage, the manhood and the public spirit to insist that no person exact from the city an amount in excess of the actual value of the property that is to be taken by the city. I feel that this is an improvement that is demanded in that section, an improvement that will be carried through in the same manner that the Dorchester street widening improvement was carried through, without graft, without corruption and with the best interests of the city and the public concerned; and I don't feel that any private individual is going to benefit directly by the improvement. I feel that this particular section, the seat of a religious denomination, is entitled to proper æsthetic surroundings; that those are not in evidence at the present time; that the question of private individuals benefiting by any money that has been expended for the development and improvement of Copley square has never been brought up for discussion in this body by any member, to my knowledge; and I don't think it is fair to bring it up at this time. Personally, I don't think the councilor intended that it should be brought up in that manner.

Coun. HALE—Mr. President, I am going to vote in favor of this order, and I wish to give my reasons. They are three. The first and the least important reason is that I consider that to a certain extent it will facilitate traffic. The traffic argument does not seem to me particularly important, because I don't believe there will be any great amount of traffic through that street. But it is a reason. The second reason is that it will open up a very important, although not in a strict sense a public building, and I think if we get that building opened up it will be of great benefit as far as the beauty of that part of the city is concerned and will help that neighborhood indirectly. My third, and much the most important reason, is that we have the most definite assurance of Monsignor Splaine, who came before the Executive Committee, that if this improvement, costing about $75,000, is put through, the Archbishop intends to build on the widened street a model tenement house that, according to his figures, will cost about half a million dollars. That will bring into the city directly each year about $8,000, and in that way, looking at it as a pure business proposition, would pay for the improvement in ten years; and so I shall vote for the proposition, the same as I would if it was simply John Smith in the same way; although the benefit in this case will not be measured entirely by the fact that a model tenement house costing half a million dollars will be placed there, but there will be the benefit of the good housing that will be offered to people who live in that section and the example of such a place to the whole neighborhood. Therefore, I am strongly and heartily in favor of the order from every point of view.

Coun. SMITH—Mr. President, I think very properly I should explain my first remarks, as I don't wish them misunderstood. I did not mean in the slightest degree that any individual was to profit by a single dollar from this improvement. I know of no other improvement, ever since I have been a member here, that has been cleaner, more proper or more businesslike. It is thoroughly clean and would be carried out at the minimum cost. But it does not seem to me that we are justified in widening a street not called for by the public generally. I would much sooner see this sum of money go to the widening of Pleasant street, Arlington street, Norfolk street, or any generally used public street; and it is only for that reason that I am voting against the order, not because I think a penny is being misspent. I don't think so. I think probably they will have to come and ask for more money before they get through. But it does seem to me that they are starting a precedent in this case, based on which other owners of property might ask the city's assistance. They might also intend to develop property in a very public spirited way, and yet the city as a city would not be justified in assisting in the development of the property in which they were interested. For this reason I am voting against the order.

Coun. ATTRIDGE—Mr. President, the hour is getting late and I do not desire to take up very

much time of the Council. In the first place, I desire to say it is my opinion that this improvement which it is intended to carry out will not cost any more than is asked for to-day. I have the authority of the Street Commissioners that $75,000 will take care of the removal of the buildings, cost of the land, and also the making of the new street, figuring about $62,000 for the buildings and about $13,000 for the making of the widening. I think this is a clean proposition, as the gentleman on the other side of the Chamber has said; that it is a proper proposition. In my opinion it is a necessary improvement. The Finance Commission state that the street is not used much for vehicles. Why? In my opinion, because it is shaped like the neck of a bottle, and instead of going through this street from the many railroads and warehouses on Albany street, the team drivers prefer to go on a wider street, Waltham street, to the right, or Dedham street to the left. This is a through street from Albany street to Tremont street, wide from Albany to Harrison avenue, narrow from Harrison avenue to Shawmut avenue, and again wide from Shawmut avenue to Tremont street. This is a clean business proposition. My opinion is that it is a necessary improvement. Many times I have seen the carriages that have been at the church in the side alley by the church, there being no room for them on the street. Many times I believe the team drivers of that section have purposely avoided using the street, because it is shaped like the neck of a bottle. Of course, we are all of different opinions. The gentleman on the other side is entitled to his opinion, and I am entitled to mine. I think it is a necessary improvement and should be done. Mr. Hale has suggested wherein this would open up a district where model tenements can be built. The city will receive about $8,000 in taxes from this one model tenement house that is proposed. So, in the course of future years this improvement will pay for itself. For the reasons stated I am going to vote in favor of the proposition.

Coun. KENNY—Mr. President, I do not intend to take much time, but simply to add a word to what has been said. It seems to me that this is a necessary improvement. I believe the money spent for the widening of Union Park street is going to benefit the entire South End. The South End perhaps more than any other part of the city needs assistance. The elevated railroad passing through Washington street has largely arrested the development and the progress of that section of the city, and I believe the widening of this thoroughfare, which means the extension of Union Park street from Tremont street to Albany street, would mean a great deal for the South End. I am quite reconciled to voting for the order, because it is coming out of taxes.

President COLLINS—The Chair will state that when the vote is taken he will be recorded in favor of this proposition, on the ground that it proposes to devote public money to a public purpose. He believes that the improvement of this street, as has been stated, will mean the improvement of that locality. That is the prime reason for the position of the Chair in favor of the order—that the expenditure is for a public purpose,—the widening of a public thoroughfare, with the improvement that such a widening necessarily involves. Therefore, the Chair will vote in favor of the order.

The vote on the passage of the order was yeas 8, nays 1, Coun. SMITH voting nay.

President COLLINS—The ruling of the Chair would be, in cases of this kind, even though the money is taken from taxes, that it is necessary that the order shall take two readings, for this reason. Section 2 of the charter provides:

"All sales of land other than school lands, all appropriations for the purchase of land other than for school purposes, and all loans voted by the City Council shall require a vote of two-thirds of all the members of the City Council; and shall be passed only after two separate readings and by two separate votes, the second of said readings and votes to be had not less than fourteen days after the first."

It is very clear that in the widening of Union Park street land must be taken. For that reason the Chair, to be on the secure side, rules that orders of this kind shall have two readings, the second reading to be not less than two weeks from the first. The second reading of this order will come not less than two weeks from to-day.

PLAYGROUND, WARD 19.

The following was received:

City of Boston,
Office of the Mayor, October 16, 1911.

To the City Council:

I recommend the passage of the accompanying order transferring the sum of forty thousand dollars ($40,000) from the appropriation for Reserve Fund to the appropriation for Playground, Ward 19.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of forty thousand dollars ($40,000) from the appropriation for Reserve Fund to the appropriation for Playground, Ward 19.

The communication and order were declared referred to the Executive Committee.

The reference was reconsidered, on motion of Coun. McDONALD, and Coun. BALLANTYNE moved that the order be placed on its passage.

President COLLINS—The Chair will state that for the order involving an expenditure of money, to take its passage a suspension of the rules is necessary.

Coun. SMITH—Mr. President, may I ask for information whether this would be put to a vote as the first reading or not after suspension of the rules?

President COLLINS—Yes.

Coun. SMITH—Do we have to have a vote on the measure after suspension of the rules has been granted?

President COLLINS—The Chair will state that after the suspension of the rules the order will be read and will take its first reading. As I understand it, that is the customary procedure with an order involving the acquisition of land.

The rule was suspended, and the question came on giving the order its first reading and passage.

Coun. SMITH—Mr. President, on this matter again I have no question in my mind as to whether it should be transferred from the Reserve Fund or raised by loan. That is a debatable point. I am, however, against the order, no matter from what source the money comes. I am against it for this reason. Ward 19 has $60,000, and has had for some years, to spend for playgrounds. According to the Park Commissioners they now desire to buy two pieces of land, one for a ball ground and the other for a playground for small children. Ward 19 is amply provided with playgrounds and with ball grounds at the present time. They have Marcella Street, Columbus Avenue and the Fenway Playgrounds. In the old days boys used to go two or three miles when they wanted to find a place to play ball. It is little enough to ask boys twelve years old or over to go the distance they now have to go out there to play a ball game. They don't need a playground. The little children of the district, the little tots, cannot get far away from home, and those children in Ward 19 can be taken care of with the $60,000 that they have already got, and that is all that is necessary for Ward 19 in this respect. The Park Commissioners this afternoon said that one playground, needed for the children, could be taken care of with half the amount they are now asking for, in the neighborhood of $50,000. Therefore, we don't need an additional amount for a playground for Ward 19, such as is proposed here. I consider that the City of Boston is playground-poor at the present time. We have more playgrounds than we can properly develop. That has been my attitude all the year. It was my attitude here when the Ward 20 playground matter came up, and is still my attitude. The only exception I have made is in the case of a playground for Charlestown. The fact that the city is playground-poor is shown in connection with the 1915 movement, when they found the tremendous amount of money that we had invested in playgrounds. When we consider the condition of the West End Playground, the Charlesbank, without superintendence, the run-down condition of various playgrounds in different parts of the city where money should be spent, we should realize that we should rather spend money to take care properly of playgrounds we now have than for additional playgrounds. Go over to the North End and see the condition of the playground, and you will realize that there should be a development of the present playgrounds, and that that is what is required rather than putting in additional ones. It is the

same story throughout the city. With one or two exceptions the playgrounds are not properly taken care of and do not have proper people in charge of them. When we compare our playgrounds with those of Chicago, while we have a playground area greatly in excess of the area there, taking into consideration the population, they have a better condition of playgrounds there, as they do in other cities, simply because they have proper superintendence and the playgrounds are not allowed to run down at the heel You will find children playing on the street within view of a playground, and find the playground deserted simply hecause it is not made attractive and not properly developed. For that reason I am against more playgrounds in the city at the present time. I do not stand alone in that position. The City Council may feel that it is catering to public opinion in buying additional playgrounds, hut it is not carrying out the wishes of the people who originally started the playground movement in Boston. Only the other day, in conversation with Mr. Lee, he stated that there was no further need of playgrounds in Boston—and Mr. Lee was the father of the movement that has made possihle the present playgrounds in this city. Yet he states that there is no need of further playgrounds in the city, that what should he done is to improve the ones we have already, instead of adding to the numher. It seems to me perfectly clear that the boys of Ward 19 have an ample numher of places in which to play ball at Marcella street, Columbus avenue or the Fenway, and it seems to me the little tots of Ward 19 who do deserve attention can prohahly be taken care of with the $60,000 that has already been horrowed. I simply suggest—I know that this money will be horrowed, hecause the majority is against me and the land is bought—you will find one piece of land close to the Fenway, so that two ball games can go on, and will find that there is necessarily a duplication of the playgrounds of this city.

Coun. CURLEY—Mr. President, I have no desire to take up the time of the Council, and will speak for just a moment. The original $60,000 appropriation or loan was authorized three years ago. The people of that section are entitled to the same consideration as other more favorahly situated sections of the city, and the attack made by Coun. Smith on the general playground proposition is rather an unfair one. Everyone agrees that the supervision of playgrounds is not what it should he, but the question of additional playgrounds and the question of supervision of playgrounds are two separate and distinct propositions.

Coun. SMITH—Mr. President there is only one other thing I would like to say. At the time when the order came to us asking us to change the wording of the loan from Parker Hill to Ward 19, you will rememher at that time I voted against the change of wording simply hecause I said it was tied up with the proposition to ask us for $40,000 additional at a subsequent meeting. In view of the present order, that statement is thoroughly vindicated. They are now asking for $40,000, an entirely undue amount for that section, under the circumstances. I would be entirely agreeahle to a small expenditure, in connection with Parker Hill Reservoir, for a swimming pool. I introduced an order asking figures in regard to that, and would be thoroughly in favor of it. I helieve they are entitled to it. I helieve that work of that sort should take place, and I wish the Mayor would send down an order for $1,500 for that. I am thoroughly in sympathy with the hoys in the community who desire to play ball. But at the present time they are amply taken care of. I introduced an order for supervision of the Columhus Avenue Playground and proper lighting of the playground. I am thoroughly in sympathy with that. At the same time I think the small children of that neighborhood do not need $100,000 for a playground. The $60,000 they now have is ample, and I am borne out in that statement by the statement of the Park Commissioners this afternoon, when they say that they don't need to spend the $100,000 for the children of the neighhorhood, that at least half of it is for the larger boys who desire to play hall. I am in favor of provision for the little children, and helieve the amount already provided is sufficient for that purpose; but I think there are already ample accommodations for playing ball.

The order was given its first reading and passage, yeas 8, nays 1, Coun. SMITH voting nay.

The final reading and passage will take place not less than two weeks from to-day.

USE OF TOWELS.

Coun. HALE suhmitted the following:

City of Boston,

In the Year Nineteen Hundred and Eleven.

An Ordinance.

Be it ordained by the City Council of Boston, as follows:

Section 1. That no person, firm or corporation, owning, in charge of, or in control of any lavatory or washroom, except in a private residence, shall maintain in or about such lavatory or washroom any towel for common use.

The term "common use" as used in this ordinance shall he construed to mean for use hy more than one person.

Section 2. Any person, firm or corporation, violating any of the provisions of this ordinance shall be fined not less than $5 nor more than $50 for each offence.

Accompanying the ordinance was the following letter:

Scott Paper Company,
Philadelphia, Octoher 14, 1911.

Mr. James M. Curley:

Dear Sir,—At suggestion of Doctors Durgin and Mahoney of the Board of Health will you submit to city councils the inclosed ordinance.

Chicago, Kansas City, Detroit and numerous other city councils have passed same as a sanitary measure for the public welfare.

The Board of Health of our city approve same and I was told to ask you to submit it to councils.

Yours truly,
G. D. G. Bonney.

Referred to the Committee on Ordinances.

THE NEXT MEETING.

Coun. BALLANTYNE—Mr. President, I move that when this Council adjourns it be to meet two weeks from to-day at three o'clock p. m.

Coun. SMITH—Mr. President, I had imagined that the matter of the height of firemen would come up within the next week, and certainly we have the fire limit to discuss on Tuesday. It seems to me these matters that are coming up are pressing enough to demand a meeting next week. I don't see why, in the middle of a husy season, we should put off our meeting for another week.

Coun. Ballantyne's motion was declared carried. Coun. SMITH douhted the vote and asked for the yeas and nays.

The Council voted that when it adjourn it he to meet two weeks from to-day, at three o'clock p. m., yeas 7, nays 2, Coun. HALE and SMITH voting nay.

MONEY FOR SMALLER PARKS.

The following was received:

City of Boston,
Office of the Mayor, October 16, 1911.

To the City Council:

At the meeting of your honorable hody held August 22, I transmitted a letter from the Superintendent of Puhlic Grounds setting forth the needs of the smaller parks under his control and recommended the passage of an appropriation of $15,000 from the income of the Parkman Fund for convenience stations, buhhle fountains and othher improvements in the public parks and squares. As the cost of the improvements recommended hy Superintendent Sullivan far exceeded this sum, I desire now to increase the amount and to recommend an appropriation of $20,000 for this same purpose.

Respectfully,
John F. Fitzgerald, Mayor.

Ordered, That the sum of twenty thousand dollars ($20,000) be and hereby is appropriated from the income of the Parkman Fund for the present year, to he expended under the direction of the Superintendent of Puhlic Grounds for convenience stations, bubble fountains and other improvements in the puhlic parks and squares.

Referred to the Committee on Parkman Fund.

POLICING OF PLAYGROUNDS.

Coun. CURLEY offered an order—That his Honor the Mayor be requested to consider the

advisability of an appropriation to provide for the proper policing of all playgrounds in the city.

Coun. CURLEY—Mr. President, I have no desire to take up the time of the Council with a discussion of this matter, but it is common knowledge that there is not protection for the younger children in the playgrounds of the city to-day and that the playgrounds are not devoted to those uses that tend to moral and social advancement and development of the people of a city. I trust that the Mayor will take the matter up with the Park Commission and take such action as will tend to proper policing of the playgrounds and protection of those who use them.

Coun. HALE—Mr. President, I would like to amend the order by adding after the word "policing" the words "and superintendence."

Coun. CURLEY—That amendment is perfectly agreeable to me, Mr. President.

The amendment was adopted and the order as amended was passed.

GENERAL RECONSIDERATION.

Coun. BALLANTYNE moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned, on motion of Coun. BALLANTYNE, at 7.07 p. m., to meet on Monday, October 30, at three o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Thursday, Octoher 26, 1911.

Special meeting of the City Council, held for the purpose of drawing jurors, in the Council Chamher, City Hall, at twelve o'clock m., President COLLINS in the chair and a quorum present.

Jurors were drawn (the Mayor present) in accordance with the provisions of chapter 514, Acts of 1894, viz.:

Fourteen petit jurors, United States Circuit Court, to appear Novemher 8, 1911:

George O. Stone, Ward 25; David Hammond, Ward 20; Herbert S. Litchfeld, Ward 12; Edward L. Woods, Ward 1; John J. Feeney, Ward 13; Jesse H. Pierce, Ward 10; Thomas A. Noon, Ward 23; Andrew Casey, Ward 25; Frederick F. Ford, Ward 16; James D. Henderson, Ward 20, John W. Hennerty, Ward 2; George W. Smith, Ward 18; William A. Troy, Ward 16; Thomas F. Kiernan, Ward 20.

Thirty-five traverse jurors, Superior Civil Court, First Session, Octoher Sitting, to appear Novemher 13, 1911:

Hugh Bradford, Ward 22; Michael J. Hennessy, Ward 17; Patrick W. McNally, Ward 12; William J. Finnegan, Ward 23; Prospero Astrella, Ward 2; Bartholomew F. Roach, Ward 20; Thomas F. Phillips, Ward 20; John P. Donnelly, Ward 9; Dennis Conley, Ward 17; Henry Hamhro, Ward 20; Edward L. Byrne, Ward 20; Daniel J. Chapman, Ward 16; George L. Peirce, Ward 22; James D. Ennis, Ward 12; Rohert E. Wall, Ward 20; Gordon S. Donnan, Ward 15; Joseph F. Downey, Ward 18; William A. Rich, Ward 8; Stephen Ballas, Ward 15; Vincent Fogarty, Ward 15; Ralph W. Tolman, Ward 23; John E. McConologue, Ward 3; William H. Seabury, Ward 11; Levi W. Dorsey, Ward 12; John A. O'Neill, Ward 5; Frederick A. Cadwell, Ward 25; John H. Carr, Ward 16; Daniel Boyle, Ward 9; Bertwell E. Whitten, Ward 20; Thomas F. Power, Ward 5; Thomas J. Pearson, Ward 13; William P. Cross, Ward 9; Frank Goddard, Ward 12; John M. Lehan, Ward 19; Irving E. Dale, Ward 12.

Thirty-five traverse jurors, Superior Civil Court, Second Session, Octoher Sitting, to appear Novemher 13, 1911:

Frank A. Osgood, Ward 23; Charles E. Parmelee, Ward 11; Walter Young, Ward 23; Daniel D. Cadagan, Ward 20; George F. Gammell, Ward 23; Thomas O. Hamilton, Ward 23; Daniel E. Hennessey, Ward 20; Edwin D. Miller, Ward 20; Edward Moore, Ward 8; Frederick H. Mills, Ward 24; George R. Dugad, Ward 15; George F. Gallagher, Ward 15; Daniel W. Colby, Ward 14; Charles Jackson, Ward 11; Charles J. Kaufman, Ward 22; R. Victor Knupfer, Ward 23; Eben F. Perry, Ward 25; Arthur J. Haney, Ward 7; Herhert M. Seaver, Ward 23; Arthur F. Powers, Ward 20; Michael C. Nelsen, Ward 19; James H. Graham, Ward 6; Edward J. Dowling, Ward 15; George M. Baker, Ward 17; Louis E. Allen, Ward 9; Christian H. Kaplinger, Ward 23; George F. Calhoun, Ward 3; Michael J. Moynihan, Ward 1; Frederick S. Baxter, Ward 20; Eric Adler, Ward 24; William J. Fitzgerald, Ward 20; James A. Flagg, Ward 10; Charles H. Fitzgerald, Ward 4; Michael J. Dever, Ward 13; John T. O'Neill, Ward 8.

Thirty-five traverse jurors, Superior Civil Court, Third Session, October Sitting, to appear Novemher 13, 1911:

Henry Tucker, Ward 24; Richard Conners, Ward 18; Samuel P. Brady, Ward 4; Rohert E. May, Ward 12; Peter E. Kelley, Ward 22; Alexander Moore, Jr., Ward 14; Nathaniel F. Thayer, Ward 21; Peter Larkin, Ward 2; Edward L. Baxter, Ward 1; Eugene H. Vallee, Ward 21; Theodore J. Cromar, Ward 20; Hiram M. Couch, Ward 10; Frank E. Coomhs, Ward 20; Alhert F. Schmitt, Ward 23; Patrick McDermott, Ward 3; Ernest W. Kindred, Ward 14; Jeremiah Conway, Ward 17; Melbourne W. Frethey, Ward 24; Charles W. Noyes, Ward 25; Timothy J. Quinlan, Ward 21; Charles M. Flagg, Ward 10; James D. McLellan, Ward 16; William A. O'Neil, Ward 5; Peter R. Peterson, Ward 23; Robert H. Marsh, Ward 9; Ahraham Lazarus, Ward 17; Charles A. Burnham, Ward 20; George Roherts, Ward 23; Isaac H. Fish, Ward 21; Michael J. Doyle, Ward 14; George Edgar Pope, Ward 24; Byron L. Hill, Ward 24; William H. Smith, Ward 15; Joseph B. Horton, Ward 20; Nathan H. Dole, Ward 23.

Thirty-five traverse jurors, Superior Civil Court, Fourth Session, October Sitting, to appear November 13, 1911:

Edward Murray, Ward 21; Peter M. Gorman, Ward 20; Scott C. Carhee, Ward 10; Fred S. Charles, Ward 12; William E. Wyman, Ward 1; LeRoy H. Crandall, Ward 21; William E Morris, Ward 4; Arthur W. Moors, Ward 11; George J. Palmer, Ward 19; Hugh J. McNabb, Ward 20; Samuel Simons, Ward 10; William L. Walker, Ward 11; James A. Will, Ward 20; William H. Mountain, Ward 4; David H. Lane, Ward 24; Thomas W. Curtis, Ward 20; Samuel Rodday, Ward 20; William S. McNary, Ward 15; Peter McLean, Ward 24; Patrick Powers, Ward 2; Lou A Eppley, Ward 22; William C. Raymond, Ward 20; Stephen W. Sleeper, Ward 10; Theodore C. Haffenreffer, Ward 22; Rohert S. Fitch, Ward 20; Bernard P. Duffy, Ward 13; Ralph P. Brown, Ward 15; Edwin T. Kramer, Ward 12; Richard D. Heath, Ward 1; Edward McDermott, Ward 23; Daniel V. McPhee, Ward 1: Matthew R. Lamh, Ward 23; Granville E. Foss, Jr., Ward 11; Neil J. Tracy, Ward 23; Martin M. Simmon, Ward 17.

Thirty-five traverse jurors, Superior Civil Court, Fifth Session, October Sitting, to appear November 13, 1911:

George F. Savage, Ward 24; Albert E. Jones, Ward 16; Joseph Runci, Ward 21; William J. Moran, Ward 23; J. Warren French, Ward 22; Milton Gale, Ward 21; Harry B. Osborn, Ward 16; Daniel J. Ferguson, Ward 19; Charles H. Lowry, Ward 15; George D. McPhee, Ward 1; Joseph F. Mason, Ward 15; Jacoh D. Ullian, Ward 20; William B. Brown, Ward 24; Charles F. Brawley, Ward 19; Joseph P. O'Connell, Ward 24; Daniel H. Edmands, Ward 1; Charles H. Wright, Ward 16; Dudley G. Kimball, Ward 16; William Van Dyl, Ward 23; Thomas B. Herlihy, Ward 5; Morris Rubin, Ward 6; William H. Sculley, Ward 16; Richard McLaughlin, Ward 16; Melville H. Davidson, Ward 20; Frederick F. Young, Ward 1; Robert A. Herrald, Ward 12; Thomas S. Sutton, Ward 3; John Dwyer, Ward 14; William M. Beach, Ward 20; William F. Price, Ward 12; Martin J. Lee, Ward 19; John A. Cluney, Ward 1; John Regan, Ward 15; Walter S. Haliburton, Ward 20; William J. Elton, Ward 20.

Thirty-five traverse jurors, Superior Civil Court, Sixth Session, October Sitting, to appear November 13, 1911:

Birger Benson, Ward 16; Charle J. McGeary, Ward 20; Ross Parker, Ward 11; James A. Regan, Ward 15; William H. Benway, Ward 13; John J. Hayes, Ward 18; Frank O. Doyle, Ward 9; Philip Davison, Ward 20; Joseph Langone, Ward 6; Ralph H. Brown, Ward 25; Ambrose L. Walker, Ward 10; David Wilson, Ward 23; Charles Stewart, Ward 23; Timothy F. Daley, Ward 6; Emil Greim, Ward 23; Richard J. Thompson, Ward 15; Edgar H. Needham, Ward 24; Thomas J. Shea, Ward 1; James Donovan, Ward 9; James T. Lynch, Ward 21; Arthur B. Porter, Ward 24; Thomas J. Lynch, Ward 24; George Harris, Ward 16; John Drummey, Ward 23; Richard A. Gore, Ward 3; J. Warren Comstock, Ward 24; Joseph Cullen, Ward 22; Peter O. Rourke, Ward 23; Stephen Hughes, Ward 13; Albert Montardo, Ward 6; James A. Fowlie, Ward 16; Archihald A. Brown, Ward 21; Carl Erhardt, Ward 14; Charles H. Trudeau, Ward 17; Frank M. Wattendorf, Ward 20,

Thirty-five traverse jurors, Superior Civil Court, Seventh Session, Octoher Sitting, to appear November 13, 1911:

Thomas L. Quinn, Ward 6; Oscar Grosherg, Ward 23; David A. McGrath, Ward 24; Frederick W. Hohhs, Ward 10; Theodore J. Harvey, Ward 9; Joseph Doherty, Ward 20; John F. Peppard, Ward 2; Arthur J. O'Neil, Ward 24; Frederick C. Kingman, Ward 12; Francis N. Whitmore, Ward 14; Edward James Magurn, Ward 4; Thomas E. Durgin, Ward 19; William H. Cuddy, Ward 8; Thomas J. McDonough, Ward 17; Alexander Bender, Ward 21; George A. Spencer, Ward 24; James

McLucas, Ward 17; Edwin A. Shuman, Ward 11; John J. Haley, Ward 23; Benjamin N. Peacock, Ward 22; William Hinchey, Ward 22; Martin H. Regan, Ward 19; Jesse H. Wilkinson, Ward 21; William T. Silvey, Ward 2; John Halbritter, Jr., Ward 20; Michael J. Morris, Ward 22; Napoleon L. Rush, Ward 24; Luke J. Joyce, Ward 20; Augustus J. Dondero, Ward 6; Charles T. Paul, Ward 23; Robert Siggins, Ward 21; George A. Stickles, Ward 9; Thomas J. Donahue, Ward 21; Fred H. Paris, Ward 22; William H Halligan, Ward 25.

Forty-one traverse jurors, Superior Criminal Court, First Session, to appear November 8, 1911: John Newton, Ward 8; Patrick J. Clifford, Ward 15; Daniel L. Coghlan, Ward 13; Thomas J. Walsh, Ward 10; John J. O'Bryan, Ward 24; Michael H. Ryan, Ward 9; Thomas Burke, W rd 4; John Kiley, Ward 21; Michael J. O'Donnell, Ward 14; Dennis J. Reagan, Ward 1; John P. Hinds, Ward 10; William J. Casey, Ward 20; William A. Loftus, Ward 19; George W. Lucy, Ward 10; Henry P. Struthers, Ward 17; William H. T. Read, Ward 24; Isaac M. Slocum, Ward 21; John C. MacDonald, Ward 20; James H. Williams, Ward 17; James F. Marley, Ward 17; Benjamin W. Goldthwait, Ward 24; Frank A. Macdonald, Ward 11; Amos McArthur, Ward 18; William J. Barclay, Ward 12; J. Francis Driscoll, Ward 11; Richard Sears, Ward 11; Edwin P. Stone, Ward 11; William E. Flaherty, Ward 24; Michae O'Donnell, Ward 22; Frank A. Lynch, Ward 23; Patrick Carolan, Ward 7; Simon Vorenberg, Ward 11; Arthur A. Smith, Ward 10; Albert U Ziegler, Ward 14; Willard C. Hollis, Ward 14; James J. Kelly, Ward 14; James E. Chater, Ward 11; John Thorburn, Ward 22; William H. Edmonds, Ward 20; Frank H. Colton, Ward 23; P. Henry Barry, Ward 25.

Forty-one traverse jurors, Superior Criminal Court, Second Session, to appear November 8, 1911: Charles A. McShane, Ward 17; Charles J. Lothman, Ward 24; William M. Hurley, Ward 25; Alexander Moore, Ward 11; Richard F. Gallagher, Ward 1; Waldo Chase, Ward 20; Frederick J. Ricker, Ward 20; John F. Cooney, Ward 20; Felix A. Mulligan, Ward 13; Walter Spratt, Ward 13; Joseph Baker, Ward 15; Thomas J. Green, Ward 9; Edward R. Fowle, Ward 16; Antonia A. Silva, Ward 24; Hatsuld B. Freeman, Ward 16; Max Wheeler, Ward 9; Maurice A. Fitzgerald, Ward 3; Henry S. Dunn, Ward 20; William L. Morrison. Ward 20; David W. Smith, Ward 24; Edward J. McGovern, Ward 24; William H. Faust, Ward 2; Robert Armstrong, Ward 11; John Cuneo, Ward 6; Benjamin O'Neil, Ward 20; Frederick W. Chase, Ward 16; John Jaggy, Ward 15; John F. O'Brion, Ward 14; Robert W. F. Seller, Ward 15; Ernest M. Cromwell, Ward 24; Samuel H. Toy, Ward 23; Charles A. Degnan, Ward 20; Francis L. Johnson, Ward 15; Benjamin D. Finn, Ward 23; William J. Boyd, Ward 19; Walter J. Blair, Ward 18; Frederick E. Davis, Ward 8; Frank A. Teeling, Ward 4; Frederick W. Howard, Ward 17; Michael H. Cleary, Ward 19; Nathan Adlow, Ward 17.

Adjourned at 1.15 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 30, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair, and all the members present.

The Council voted, on motion of Coun. CURLEY, to dispense with the reading of the records of the last meeting.

ACCEPTANCE OF CHAPTER 367.

The following was received:

Office of the Mayor, October 23, 1911.

To the City Council:

I beg to recommend the acceptance by your honorable body of chapter 367 of the Acts of 1911, entitled "An Act Relative to the Use of School Halls for Other than School Purposes."

Respectfully,
JOHN F. FITZGERALD, Mayor.

Referred to the Committee on Ordinances.

BUILDING LIMITS.

The following was received:

Office of the Mayor, October 27, 1911.

To the City Council:

I transmit herewith a letter from Thomas F. Doherty, of the Eastern Grocery Company, requesting that an opportunity be given to the people of Dorchester to enter their protest before the ordinance is passed by the City Council, extending the building limits to the entire city. While one hearing has already been held, the matter is of great importance and I suggest that it might be satisfactory to a great many citizens if an opportunity for a full expression of opinion were granted them.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Eastern Grocery Company,
274 Blue Hill Avenue,
October 26, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—I sincerely hope the people of Dorchester may have an opportunity to enter their protest before the ordinance is passed by the City Council extending the building limits to the entire city.

No class of people more than yours and mine have enjoyed and appreciated the difference between the tenement house district of Boston and the open space, light and air from the character of buildings in the Dorchester district.

It will be far better to hear protests now than a universal condemnation which is sure to arise from all the suburban districts if this ordinance is passed.

What we need is an up-to-date Fire Department. You would find it very inconvenient to ride to the City Hall behind horses now, and it is strange that the Fire Department continues to use the old fashioned method of horse power.

Every hydrant in Dorchester has power enough to play over any building in the district, and an automobile hose cart with two or three men can get to a fire quickly within its zone and extinguish it before much damage is done.

Boston has been standing still for ten years in many ways and will continue to do so until up-to-date methods are employed.

Respectfully yours,
THOMAS F. DOHERTY.

Referred to the Committee on Ordinances.

ESTABLISHMENT OF CONVENIENCE STATIONS.

The following was received:

Office of the Mayor, October 27, 1911.

To the City Council:

I transmit herewith a communication from the secretary of the Health Department to the secretary to the Mayor, recommending that convenience stations be established at Roxbury Crossing, Dover and Washington streets, Dock square, Broadway and Dorchester street, Upham's Corner and City square, and that the present station on Flagstaff Hill be replaced by a larger one underground. The communication states that the appropriation already made for convenience stations will provide for the first five stations on this list and suggests that the remaining two, the cost of which is estimated at $22,000, be provided for from the income of the Parkman Fund.

As there may be some question, however, whether this is a proper use of the Parkman Fund, and the appropriations already recommended by me would almost exhaust the income of the fund now in the hands of the City Treasurer, I recommend the passage of the accompanying order transferring the stated amount from the Reserve Fund to a special appropriation for convenience stations at City square and at or near Park square. The improvement is an important one and I trust that speedy action will be taken by your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
In City Council, October 27, 1911.

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of twenty-two thousand dollars ($22,000) from the appropriation for Reserve Fund to a special appropriation to be expended under the direction of the Superintendent of Public Grounds in conjunction with the Board of Health for convenience stations at City square and at or near Park square

Referred to the Executive Committee.

CHELSEA BRIDGE NORTH.

The following was received:

City of Boston,
Office of the Mayor, October 23, 1911.

To the City Council:

The accompanying letter from the Commissioner of Public Works presents what seems to be a final solution of the problem relating to the construction of a satisfactory bridge across the north channel of Mystic river between Boston and Chelsea.

According to the statements of Commissioner Rourke, for the sum of $425,000 a bridge can be constructed which will provide two waterways, each of a width of 125 feet, one of which will be located so as to utilize the present channel, while the other will be in the more desirable situation preferred by many interested parties. It is believed that the construction of a double waterway will not only serve better the navigation interests up the river by avoiding in part the currents at the present location, but will conduce to an earlier widening of the channel. It will also diminish the number of openings necessary by making it possible for two vessels to pass in opposite directions at the same time, and thus present less hindrance to traffic across the bridge. As the present steel draw span and masonry pier can form part of the permanent structure when it is built, the cost of that structure will be reduced by nearly the amount invested in the present draw. The cost of erecting a short temporary bridge on the downstream side of the present structure is included in the estimate.

While the carrying out of these plans involves an additional appropriation of $175,000, it is understood that, according to the terms of chapter 581 of the Acts of 1911, Boston will be reimbursed for such portion of the cost as may be assessed upon other municipalities, and upon railways which, in the judgment of a commission to be appointed by the Supreme Court, will receive benefit from the improvement. The initial outlay, in other words, is not final, but is subject to an abatement the exact amount of which cannot be accurately determined at the present time.

TRADES UNION LABEL COUNCIL BOSTON, MASS.

A copy of this communication has been sent to the War Department in order that an extension of the time allowed for completing the bridge may be obtained, and it is believed that there will be no difficulty in securing this postponement as well as the necessary approval of the national authorities for the proposed plan.

I would request your honorable body to give earnest and immediate attention to this subject, which has already, for one reason or another, been held in abeyance for a long time.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Public Works Department,
Octoher 21, 1911.

To the Honorable the Mayor:

On June 3, 1910, the Secretary of War ruled that the Chelsea Bridge across the main or north channel of Mystic river "is an unreasonable obstruction to the free navigation of the said Mystic river (which is one of the navigable waterways of the United States), on account of insufficient width of draw opening and unsatisfactory location of the draw span," and ordered that the clear width of the draw opening be increased to not less than 100 feet and as much more as might he practicable without interfering with the existing tunnel or conduit of the Metropolitan Water and Sewerage Board under the present opening.

On August 1, 1910, his Honor Mayor Fitzgerald requested the Secretary of War to approve a plan for a temporary hridge on the downstream or easterly side of the existing bridge, this temporary hridge being intended to provide for traffic over a period of fifteen or twenty years, or until such time as a bridge of permanent construction could be built on the line of the existing bridge.

The temporary bridge was to have a lift draw, with a single channel 125 feet wide in the clear, and the channel through the existing bridge was to be widened to a width of 100 feet in the clear, as much as the present tunnel of the Metropolitan Water Works will allow.

Authority to build this temporary bridge was obtained from the Secretary of War on September 3, 1910. Work was not begun upon this proposed temporary bridge in 1910 as no appropriation therefor was made. Under the law as it existed at that time a very large proportion of the cost of construction and practically the whole cost of the maintenance of Chelsea Bridge was paid by the City of Boston and the small remainder by the city of Chelsea.

The bridge is largely used by the inhabitants of other communities and hy puhlic service corporations, notably a street railway company, all of whom derive great benefit from the bridge, and it was the belief of officials of Boston that all communities and corporations benefited should justly share in the expense of construction of this bridge.

The rebuilding of the structure was delayed to enahle this city to appeal to the Legislature of 1911 for relief from its seemingly unjust burden of expense, and the time for the completion of the work, which had originally been fixed by the Secretary of War as June 30, 1911, was upon request of the city officials extended to October 31, 1911, to enable the city to seek the desired legislation.

A bill was prepared by the Corporation Counsel of Boston, and introduced into the Legislature, to authorize the City of Boston to construct, reconstruct and repair certain bridges hetween Boston and Chelsea, Winthrop and Everett (including the Chelsea Bridge), and providing that when work is done by the City of Boston upon any of the bridges named a commission may be appointed to apportion the cost upon the cities and towns and street railway corporations benefited, and empowered the City of Boston to collect from the cities, towns and street railway companies the amounts apportioned to them hy this commission.

The bill as originally drawn included the Winthrop Bridge between East Boston and Winthrop and the Malden Bridge between Boston and Everett, but before passage the hill was amended, striking out these two hridges, so the law as it stands applies to the Chelsea Bridge between Charlestown and Chelsea and the Meridian Street and Chelsea Street Bridges between East Boston and Chelsea. This act was approved June 22, 1911.

On August 24, 1911, the City Council passed a loan order appropriating $250,000 "for the construction of a temporary bridge across the north channel of the Mystic river between the cities of Boston and Chelsea, said bridge to be built in conjunction with the city of Chelsea, under the statutes governing said joint construction, and to serve in place of the present structure known as 'Chelsea Bridge North.'"

Representatives of the City of Chelsea, at legislative hearings and at conferences with Boston officials, have objected strenuously to the proposed temporary bridge at one side of the present structure, which for fifteen or twenty years would divert travel from the direct route of the existing bridge; and they especially object to being forced to contribute towards such a structure, which they claim will be an ohstruction to highway travel.

The United States Government has just completed the dredging of a channel 30 feet deep and 300 feet wide, extending a distance of more than one-half mile above the Chelsea North Bridge. This channel as already dredged would accommodate some of the largest steamers now entering this port if a proper opening through the bridge were provided. It is understood that further improvements of the channel above the bridge are in contemplation.

The navigation interests claim that the draw channel of the present bridge is not in a proper location and that it is extremely difficult to take large boats through the bridge on account of the velocity and direction of the current which at present runs counterwise to the draw channel. The navigation interests urge that a new channel be provided at midstream.

Although the Secretary of War has required that the existing channel of the Chelsea Bridge be widened, he recognizes "the unsatisfactory location of the draw span." It is apparent that the navigation interests are justified in asking for a new channel near the middle of the river, and were such a channel afforded them, the river would accommodate shipping, which could use the widened channel in the existing location only at considerable inconvenience and some danger to vessels.

The state, hy the authorization of the new dock board and the appropriation of $9,000,000 for harhor improvements, has attacked the problem of the development of this port along hroad lines, and it is felt that the city for its own good should cooperate in this movement by attacking its bridge prohlems in an equally broad way.

After an exhaustive study of the whole problem, taking account of all interests involved, the Puhlic Works Department has prepared a plan which seems to meet all objections, and to solve the problem in an economical manner satisfactory to all interests.

This plan contemplates building, on the line of the present bridge, a new large swing draw span, which will provide two waterways through the bridge, each 125 feet wide and thirty feet deep. One of these waterways is suhstantially the widening of the present waterway, and is needed in order to properly connect with the channel already dredged by the government above the hridge. The other waterway will become available for the largest steamers entering this port just as soon as the government authorities do the small amount of dredging necessary to widen the existing channel up river. Provision is to be made for the deepening of both waterways through the bridge to thirty-five feet whenever the channel up river is dredged to that depth.

The draw span is to be of steel and is to be built upon a masonry pier and both will form part of the permanent steel and masonry bridge to be built in the future.

The second or southerly waterway to be provided is exactly at the middle of the river and in such a position as will well meet the requirements of navigation. The cross currents now present in the river at each run of tide, due largely to the ohstructions of the shoals heneath the present pile bridge, will undoubtedly disappear when the dredging in connection with the proposed reconstruction is carried out.

The two waterways through the bridge will greatly aid navigation in permitting vessels to pass in opposite directions at a single operation of the draw span. By this means the numher of times the draw is to be opened will he reduced, with the result that there will also be much less interruption and delay to traffic passing over the bridge than there would he if the draw were built with a single waterway.

To care for traffic during the construction of the permanent draw a short temporary bridge will be built in the downstream side of the present struc-

ture, this bridge to be in service for the few months necessary for the construction of the permanent work.

This scheme of rebuilding utilizes the existing pile bridge as far as possible; and although the outlay at the present time is greater than that for the temporary bridge previously proposed, this plan will effect a material saving in ultimate cost when the remainder of the permanent steel and masonry bridge shall be built on this site.

The estimated cost of the proposed bridge as outlined is $425,000, which cost will be apportioned between Boston and the towns benefited. The estimated cost of the so-called temporary bridge was $325,000, $250,000 of which was to be paid by Boston.

For the reasons above cited, I would respectfully request that this subject be re-opened with the War Department and that the necessary authority and money be secured for rebuilding Chelsea North Bridge as outlined above and as per attached plan.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

Referred to the Committee on Finance.

EIGHT-HOUR BASIS FOR AMBULANCE DRIVERS.

The following was received:

Office of the Mayor, October 17, 1911.

To the City Council:

In reply to your order, passed at the meeting of September 18, requesting the hospital trustees to inform the City Council what additional sum is necessary to place the ambulance drivers employed at the City Hospital upon an eight-hour basis, I transmit herewith a statement from the superintendent of the hospital.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

The Boston City Hospital,
October 16, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—I have been directed by Hon. A. Shuman, President of the Board of Trustees, to state that the additional money necessary to place the ambulance drivers employed at the Boston City Hospital upon an eight-hour basis will be $5,208.84.

I remain, very respectfully,
Your obedient servant,
JOHN H. MCCOLLOM,
Superintendent.

Referred to the Executive Committee.

PROPOSED SALE OF PARKMAN BUILDING.

The following was received:

Office of the Mayor, October 20, 1911.

To the City Council:

I transmit herewith correspondence relating to the proposed sale, lease and letting without charge of the Parkman building at 33 Beacon street. The papers contain an offer of $68,000 for this estate, together with land and stable facing on Joy Street place; a request from the Boston Association for the Relief and Control of Tuberculosis, which desires to use the first floor for the sale of National Red Cross Christmas seals, transmitted by Mr. John C. Kiley, and an offer from the Society for the Preservation of New England Antiquities to take a five-year lease of the property at $1,000 a year with the privilege of renewal for ten years or more.

This activity on the part of persons and societies interested in this estate opens up the question already laid before your honorable body in my message of September 28, 1910, whether this building, which was the home of Mr. Parkman, should not be retained by the city as a memorial to perpetuate his name. No expression of opinion has ever been given by your honorable body upon this point and I feel reluctant to take steps which might involve the rehousing of some of the city departments as well as the creation of a museum or architectural memorial without obtaining your views. I submit the correspondence, therefore, in the hope that you will favor me with your counsel and trust that you will find time to report upon the advantages of the various propositions that have been made.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Office of the Mayor, October 18, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—I have been offered $68,000 for the estate No. 33 Beacon street, together with the land and stable facing on Joy Street place, the same being the property formerly owned and occupied by the late George F. Parkman and now owned by the City of Boston. The total assessed valuation of the property is $70,000, of which $7,600 is on the buildings and $62,400 on the land, consisting of 3,920 feet. The last offer we had for this property was $67,000, and was refused confirmation by the City Council about a year and a half ago. Since that time the best possible figure I have been able to get is $60,000. I am very much inclined to recommend that we sell for $68,000, rather than maintain the property in its present condition. The offer is made through the firm of E. H. Eldridge & Co., and they are anxious to know at once the decision of the city.

Yours respectfully,
JOHN C. KILEY.

—

City of Boston,
Office of the Mayor, October 7, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—I inclose herewith a letter from the Boston Association for the Relief and Control of Tuberculosis. They desire to use the first floor of the Parkman building, 33 Beacon street, for the sale of National Red Cross Christmas seals, having been appointed agent by that organization, the proceeds from the sale to be used in the relief and control of tuberculosis in Boston and other cities and towns of this state.

I think that if we can legally do so, it would be a great help to the association to allow them the use of this property, and it might establish a precedent that would be strong enough to have the City Council appropriate funds to take over this building as municipal property.

Will you please let me know if I may grant the request of the association.

Very truly yours,
JOHN C. KILEY.

—

Boston, October 5, 1911.

Mr. John C. Kiley,
18 Tremont Street, Boston:

My dear Mr. Kiley,—This association has been appointed by the National Red Cross agents for the sale of the Red Cross Christmas seals in the state of Massachusetts. The proceeds from the sale of these seals are to be used for tuberculosis work in Boston and other cities and towns of the state. We need a headquarters as our office is entirely inadequate. We have no room in our building, but city property at 33 Beacon street (Parkman estate) is very convenient to our office, and the front room on the street floor would make an excellent office for this purpose.

It will be necessary for us to have such a place for about three months, from November 1 to February 1. Would it be possible to secure, without charge, quarters at 33 Beacon street? The purpose of this organization is philanthropic, and our efforts are along the lines of preventive tuberculosis, and thus saving expense to the city.

If we can be granted this privilege it will be greatly appreciated by this association, and indirectly will benefit many others.

Yours very truly,
S. H. STONE, Secretary.

—

Boston, October 16, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Your Honor,—Agreeably to your request of October 13, I send you here a written memorandum of the request of the Society for the Preservation of New England Antiquities, with regard to the home of the late George Parkman at 33 Beacon street.

This society has set itself the public spirited task of creating for the use of the people, a museum of antiquities, particularly of such as relate to New England. In the short year and a half of its existence it has enrolled over five hundred members. It finds itself badly cramped in quarters which were never intended to be aught but temporary. It has been obliged to decline many gifts on account of lack of space in which to exhibit them. This is a distinct loss to the public, for the collections of such a society are truly public assets. Even

the collection of photographs and picture postals of New England, some 800 in number and rapidly growing, cannot be properly shown.

Therefore, the society, through its officers, requests that the City of Boston so far cooperate with it as to permit it the use of the above mentioned George Parkman house, including the stable. There would be excellent precedent for allowing the society the use of a public building rent free (witness the Bostonian Society), but the society only asks to be allowed to lease the building at $1,000 per annum for five years, with privilege of renewal for ten or more years. This rental practically amounts to keeping the estate on the tax lists, for it is about what Mr. Parkman was paying in taxes. The society would maintain the building and turn it back in as good condition as it received it. The society would also maintain in the building a museum open free to the public. Moreover, it would gladly maintain in it a suitable memorial to Mr. George Parkman, a project which would undoubtedly appeal to all Bostonians.

On the other hand, tbe society would ask to be allowed to sublet such parts of the property as it could not profitably use. At the start this might be as much as two of the upper floors, but before long the society would doubtless use all. Should the rentals from subletting by any chance exceed the rental paid the city by the society, it suggests that such excess rental be divided evenly between city and society.

Should the city see fit to grant the society the above outlined lease, tbe society asks for thirty days in which to raise among its friends a guarantee fund to cover its increased expenses in these new quarters. No difficulty is anticipated in this matter.

However, should the unexpected occur and the society fail to raise the necessary guarantee fund, or should the city not wish to allow the society the lease of the entire building, then the society makes the following request:

It asks to be allowed to lease the entire second floor and stable, for the purpose of a public museum and an office and a suitable memorial to Mr. George Parkman. In consideration of the public service rendered, it asks that the rental for these premises be made very low, say $200 per annum. It asks for a five-year lease with option of renewal for ten or more years, and for as good terms with regard to heating arrangements, etc., as those which may be accorded to other tenants.

I have the honor to be,

Respectfully yours,
WILLIAM S. APPLETON.

Referred to the Committee on Parkman Fund.

SHELTER AT JAMAICA POND.

The following was received:

Office of the Mayor, October 25, 1911.

To the City Council:

I beg to transmit a statement from the chairman of the Board of Park Commissioners, requesting that an appropriation be made for a shelter house and boat landing at Jamaica Pond. All those who are familiar with this beautiful body of water know that the old boat landing and refreshment booth at this point, while serviceable enough perhaps in the earlier period when the spot was little used, have become entirely inadequate and should be replaced by structures which will increase rather than detract from the attractiveness of the pond. I believe that the sum of twenty thousand dollars ($20,000) might very properly be expended for this purpose and recommend the passage of the accompanying order transferring this amount from the Reserve Fund.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Board of Commissioners of the
Department of Parks,
Jamaica Plain, Mass., October 23, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—At the south end of Jamaica Pond stands a very shabby house for protection of skaters and for the sale of refreshments. The boat landing also is not worthy of this beautiful site. We have urged the need of a better building there before now, and would ask you again whether it is not possible to give us now an appropriation for this. The large number of skaters using the pond need a good place in which to get warm and for the putting on of skates. Proper toilets are also desirable and if the boating facilities are made attractive there would probably be more boating. Evidently we could expend here almost any amount of money you find it possible to give us,. considering its conspicuous position in such a finished neighborhood. We suggest that from $15,000 to $20,000 would be a sum that would produce something very useful and attractive.

Hoping you can see your way to arrange this, I remain,

Yours truly,
ROBERT S. PEABODY, Chairman.

—

City of Boston,
In City Council, October 25, 1911.

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of twenty thousand dollars ($20,000) from the appropriation for Reserve Fund to an appropriation to be expended under the direction of the Park Commissioners for a shelter and boat landing at Jamaica pond.

Referred to the Executive Committee.

VIOLATION OF EIGHT-HOUR LAW.

The following was received:

Office of the Mayor, October 25, 1911.

To the City Council:

In reply to an order passed at the meeting of your honorable body, held October 9, 1911, to the effect "that his Honor the Mayor be requested to call the attention of the Fire Commissioner to chapter 494 of the Acts of 1911, and to ask if said act is not violated in his department," I transmit herewith a statement on the subject from the Fire Commissioner.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Fire Department, October 24, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,— Pursuant to an order received from the City Council requesting information as to whether this department is violating chapter 494 of the Acts of 1911, I have the honor to inform you that work in excess of eight hours is required in this department only when necessary for the public safety. Therefore the provisions of this act are not being violated in this department.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

Coun. CURLEY—Mr. President, I would state that this order was presented at the request of the Firemen's Union, who contended that the men employed in the fire headquarters at Bristol street were working twelve hours a shift; and, since they are interested, I would respectfully move that the matter be referred to the Executive Committee and that the representatives of the union be invited to appear before the committee.

Coun. Curley's motion was carried.

MUNICIPAL BUILDING IN SOUTH BOSTON.

The following was received:

Office of the Mayor, October 30, 1911.

To the City Council:

A careful estimate of the cost of the new Municipal Building in South Boston shows that if the present plans are carried out the sum of $20,000 additional will be required. The plan contemplates a structure with a frontage of 100 feet, and a depth of 70 feet, 60 feet in height, with four floors. On the first floor will be a swimming pool, 90 feet by 25 feet, and twenty shower baths. The second floor will be taken up wholly with the court room and the offices connected therewith. The third floor will be devoted to a reading room of the Public Library, and a meeting room about 35 feet square, while the upper floor will be given over wholly to a large assembly hall. The plan seems to me an excellent one, and I shall be sorry to dis-

card any of its useful features. I recommend, therefore, the passage of the accompanying loan order appropriating twenty thousand dollars ($20,000) for Municipal Building, South Boston.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
In City Council, October 30, 1911.

Ordered, That the sum of twenty thousand dollars ($20,000) additional be appropriated for Municipal Building, South Boston, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue bonds or certificates of the city for said amount.

Referred to the Committee on Finance.

PORTICO OF OLD COURT HOUSE.

The following was received:

Office of the Mayor, October 30, 1911.

To the City Council:

The accompanying letter from the chairman of the special committee appointed to consider the disposition of the portico of the Old Court House requests further time for the consideration of the matter. Under the circumstances it seems to me desirable that this request should be granted. I suggest, however, that since the preservation of this fine bit of early nineteenth century architecture has interested so many citizens, and there is keen competition for it in different quarters, a hearing might be held at which architects and others would have an opportunity to express their opinions. I trust that your honorable body will take this view of the matter and will hold such a hearing perhaps in cooperation with the portico committee.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

20 Beacon Street,
Boston, October 30, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—The committee appointed to consider the disposition of the portico of the Old Court House still feels that the Governor's Island site is the one best suited for it, but in case this site is not favored we would suggest as a second best position the Howe Memorial Park, South Boston.

In this event the committee recommends that it be used as the architectural feature of a monument commemorating the great services of Doctor Howe, both for the cause of human freedom and for the amelioration of the condition of the blind.

The portico, while not suitable for a gateway as has been suggested by others, is admirably adapted for use in connection with a monumental statue or group of sculpture. As such it would provide a noble monument in the park that is to commemorate Doctor Howe.

The committee, however, considering the lack of time for more careful consideration, recommends that the portico be stored, as the contract calls for, until the matter can be thoroughly studied.

Respectfully yours,
EDWARD T. P. GRAHAM.
SYLVESTER BAXTER.
C. HOWARD WALKER.
S. S. SHURTLEFF.

Referred to the Executive Committee.

EXTENSION OF ARLINGTON STREET.

The following was received:

Office of the Mayor, October 30, 1911.

To the City Council:

The final report of the Joint Board on Metropolitan Improvements states "That extension of Arlington street in the form of an ample highway from Castle square to the present Arlington street at Boylston street, by a widening of Ferdinand street, and extension across the vacant land formerly occupied by the Boston & Providence Railroad Station, and through the single row of estates intervening between that land and Boylston street, would be a highway of metropolitan importance and concern."

The report from the Chamber of Commerce, copies of which have been sent to the members of your honorable body, indicates the trend of opinion upon the subject of this improvement. I do not need to emphasize its importance in the development not only of the district adjoining Park square but of a wide zone extending in several directions from the site of the improvement itself.

A definite offer from the New York, New Haven & Hartford Railroad, through its representative, Mr. Laurence Minot, now makes it possible to carry out the extension of this highway at a reasonable cost. The accompanying letter from the secretary of the Street Laying-Out Department estimates the cost of extending Arlington street, from Boylston street to Providence street, at a width of 70 feet, which is the width of the street as laid out across the property of the trust, and of widening Ferdinand street, from 40 feet to 58 feet, from Columbus avenue to Castle square to be $790,000. This does not include the reconstruction of the bridge on Ferdinand street, which in any event is believed to be necessary, and the widening of it to a width in conformity with the increased width of the street, which will probably be about $60,000. As against this cost of $790,000 the New York, New Haven & Hartford Railroad will make an offset on the damages to its property on Boylston street to any amount that may be assessed up to $270,000, so that the initial outlay for the city will be $520,000. The only conditions are that the city shall take official action before January 1, 1912, and that the damages awarded for the estates at 314–318 Boylston street, purchased by the railroad in order to carry out this extension, shall equal the amount originally paid for these estates, which was $381,550. The railroad also will give to the city the portion of Arlington street which extends across its own land. This offset of $270,000 is intended to cover all betterments on the property of the railroad. It is estimated by the secretary of the Street Laying-Out Department that later benefits, which may be assessed on the estates along Boylston street within the prescribed radius from Arlington street, will amount to about $120,000.

That this street must be cut through sooner or later is a matter that does not admit of question. The only question is as to the terms which the city should make with the interested parties. The city has already given evidence of its willingness to cooperate by the appropriations for changes in the grades of Berkeley and Providence streets and, in my opinion, the offer of the railroad is sufficiently liberal to warrant an immediate appropriation. That values will increase in the neighborhood and bring back in time, through additional taxes, the full amount laid out on the improvement is apparent to all who have studied the question, and the willingness of the railroad to contribute so liberally, not only by the laying out of streets but by the acceptance upon terms that are extremely favorable to the city of so large a sum in betterment assessments, is the best proof of the influence which this improvement will have in raising values in the neighborhood.

The borrowing capacity of the city now is something over $900,000. To supplement this sum, which is large for this period of the year, there is a Reserve Fund amounting to more than six hundred thousand dollars ($600,000). I recommend, therefore, the passage of the accompanying loan order appropriating five hundred and twenty thousand dollars ($520,000) for the extension of Arlington street and the widening of Ferdinand street.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Street Laying-Out Department,
October 30, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—The Board of Street Commissioners has had an estimate made of the cost of extending Arlington street from Boylston street to Providence street, to meet the new street laid out and constructed by the New York, New Haven & Hartford Railroad from Providence street to Columbus avenue, and also for the proposed widening of Ferdinand street from Columbus avenue to Castle square.

Exclusive of reconstructing the railroad bridge on Ferdinand street, which will be necessary, the estimate is $790,000.

The Board believes that substantially one-half the cost may be assessed back on the property which lies within the assessable distance of 125 feet.

Very truly yours,
J. J. O'CALLAGHAN, Secretary.

City of Boston,
In City Council, October 30, 1911.

Ordered, That the sum of five hundred and twenty thousand dollars ($520,000) be and hereby is appropriated, to be expended by the Board of Street Commissioners for Arlington street extension and Ferdinand street widening, and that to meet this appropriation the City Treasurer be and hereby is authorized to issue bonds or certificates of the city to said amount.

Referred to the Committee on Finance.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named:

Claims.

James Lynch, for compensation for injuries received while in the employ of the city.

J. Rush Green, to be repaid $44.75, expense incurred on account of stoppage of sewer at 100 Arlington avenue, Charlestown.

Ruggiero Lonich, for compensation for injuries caused by a defect in Marginal street.

John Garrity, for compensation for injuries caused by defect in Nightingale street.

Smith Brothers, to be paid for injuries to horse by a defect in Atlantic avenue.

Edward F. Blake, for compensation for damage to fences at 20–26 Erie street by Fire Engine No. 21.

Alexander and Mary E. McKenna, for compensation for damages at 7 Champney street by change of grade of said street.

Edward Cummings, for compensation for damages at 8 Champney street by change of grade of said street.

Mrs. Julia Cushman, for a hearing on her claim on account of an accident on October 14.

Walter H. Kelley *et al.*, for payment to Annie M. Kelley, attorney, of balance remaining from tax sale of estate on Barnard place.

Anna V. Trainor, for a hearing on her claim for damages on account of defect on highway, corner Dorchester and West Eighth streets.

Executive Committee.

Rev. William H. McDonough, for a permit for children under fifteen years of age to appear at Star of the Sea Hall on evening of November 13.

William J. Day, for a permit for children under fifteen years of age to appear at St. Mary's Hall November 29–30.

Charles F. Potter, for a permit for children under fifteen years of age to appear at Oakland Hall on November 1 and 9.

Eli Pearlstein, for permission to sell, rent or lease firearms at 108 Pleasant street, Ward 7.

PRESERVATION OF PARKMAN HOUSE.

The following was received:

121 Beacon Street,
Boston, October 30, 1911.

Hon. Walter L. Collins,
President of the City Council:

Dear Sir,—I beg to inclose a copy of a letter from Mr. William E. Nickerson in regard to the preservation of the Parkman house, 33 Beacon street, also a copy of my letter to the *Advertiser* and *Globe* upon the same subject, to which he refers.

In his letter Mr. Nickerson gives evidence of the feeling of the late Mr. Parkman for his home and its associations. This evidence I can corroborate from my own personal conversations with Mr. Parkman. Perhaps it would be well to draw this letter to the attention of the Council in considering the proposed sale of the property.

As I have said before, I think the city government would, under the circumstances, be fully justified in appropriating money to purchase the house as a memorial building of a practical character.

I am,

Yours very truly,
CHARLES GIBSON.

Inclosed were a copy of letter from Mr. William E. Nickerson and letter published in Boston *Globe*.

Referred to the Committee on Parkman Fund.

546–547 Tremont Building,
Boston, October 30, 1911.

To the City Council:

Gentlemen,—I am much interested in the action of your honorable body concerning the disposition of the house of the late George F. Parkman, 33 Beacon street.

I have read with much interest an article by Mr. Charles Gibson, printed in the Boston *Globe* on October 26, urging that it be acquired by the City of Boston for civic uses and preserved for all time as one of the monuments to those individuals and to that spirit which has distinguished this city in the past and the occasional lapse of which, as in the case of the John Hancock house, is to be so bitterly deplored. As a member of the New England Historic Genealogical Society, and deeply interested both by heredity and study in the things of the past and the preservation in the future of what should be imperishable, I sincerely urge upon your honorable body that suitable action be taken for the preservation of the Parkman house. We should hold fast to the things that we have both for our own benefit and for the city which is to come.

Very respectfully yours,
CLARENCE S. WARD.

Referred to the Committee on Parkman Fund.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted by the Secretary of the Commonwealth were received.

Placed on file.

APPROVAL OF FOREST HILLS STATION PLANS.

A communication was received from the Board of Railroad Commissioners approving of changes at Forest Hills Station of the Boston Elevated Railway Company as shown on Plans 28688 and 28689.

Placed on file.

EXTENSION OF BUILDING LIMITS.

The following was received:

United Improvement Association,
October 19, 1911.

To the President of the City Council:

Dear Sir,—In behalf of the United Improvement Association I desire to urge upon the City Council the desirability of giving further hearings upon the proposed change in the city ordinances regarding the building limits, in case the Council should seriously consider any material change in the form of the ordinance from that which has already been published.

We are not ready at the present time and shall not be ready until after the 1st of November to express the opinion of this association on the proposals of the Chamber of Commerce. It took more than a year for the Chamber of Commerce Committee to study the subject and agree upon their recommendations; it therefore seems to us that the general public should be given at least a month to consider such very important recommendations before they are enacted.

If the City Council is inclined to pass the ordinance as advertised, we do not request any delay in such action, but only in case its provisions are radically altered, as would be the case by substituting therefor the recommendations of the Chamber of Commerce.

Very truly yours,
UNITED IMPROVEMENT ASSOCIATION,
by WILLIAM C. EWING,
President.

Referred to the Committee on Ordinances.

RECONSTRUCTION OF MERIDIAN STREET BRIDGE.

The following was received:

Office of the City Clerk, October 27, 1911.

To the City Council:

You are hereby notified that the order for a loan of $63,000 for the reconstruction of Meridian Street Bridge, filed by the Mayor with the City Clerk on August 21, 1911, not having been rejected

or withdrawn within sixty days after the date of said filing, was in force on October 21, 1911, as if adopted by the City Council, under the provisions of section 2 of chapter 486 of the Acts of 1909; and that, on October 23, 1911, the Mayor certified that the said loan was not, in his opinion, to meet a current expense.

Respectfully,
W. J. DOYLE, Assistant City Clerk.

Placed on file.

STORAGE OF EXPLOSIVES.

Notices were received that certain buildings were used for the storage of explosives, and of intention to use same for the ensuing year, viz.:

Frank H. Thorp, 200 Mt. Vernon street.
James A. Houston, 74 Maple street.
P. C. H. Bennett & Co., 11 Lansdowne street.
Alexander Steinert, 401 Commonwealth avenue.
Peerless Motor Car Company, 660 Beacon street.
A. Shuman, 90 Commonwealth avenue.

Placed on file.

ADDITIONAL ALLOWANCE FOR CLERICAL ASSISTANCE.

The following was received:

Suffolk, ss. Superior Court for the Transaction of Criminal Business.

To the Mayor and Council of the City of Boston:

Respectfully petitions the undersigned, clerk of said court, that the additional sum of $1,500 be appropriated for additional clerical assistance in said office, in accordance with the provisions of chapter 165, section 38, of the Revised Laws of this Commonwealth.

JOHN P. MANNING, Clerk.

Referred to the Committee on County Accounts.

CLERK HIRE.

W. T. A. Fitzgerald, Register of Deeds, submitted a statement, in accordance with the provisions of section 33, chapter 22, of the Revised Laws, certifying that certain persons had been employed in his office from September 25, 1911, to October 23, 1911, and that work had been performed to the amount of $3,079.77.

Approved, and ordered paid.

RETIREMENT OF LABORERS.

The following was received:

Boston Finance Commission,
October 23, 1911.

To the Honorable the City Council:

Gentlemen,—The City Council on May 8, 1911, referred to the Finance Commission for its report and recommendation an act of the last Legislature which provides for the retirement of laborers employed by the City of Boston, and which will become effective, if accepted by the City Council, on the first day of March in the year following such acceptance. The act is as follows:

ACTS OF 1911, CHAPTER 413.

An Act Relative to a Retirement Fund for Laborers Employed by the City of Boston.

Section 1. There shall be a retirement board for the laborers employed by the City of Boston, consisting of the mayor, the auditor, and the treasurer of the city, who shall discharge the duties hereby imposed upon them without additional compensation.

Sect. 2. Any laborer employed by the city of Boston, who has reached the age of sixty years and who has been in the service of the city for a period of not less than twenty-five years, and who is physically incapacitated, shall, at his request and with the approval of the retirement board above provided for, be retired from service, and shall receive for the remainder of his life an annual pension equal to one-half of the compensation which he received during the last year of his service for the city. It shall be the duty of the said board so to retire any laborer in the service of the city who has reached the age of seventy years and has served the city for a period of not less than twenty-five years.

Sect. 3. This act shall take effect on the first day of March of the year following its acceptance by the city council of the City of Boston.

The act is intended to establish a system under which any laborer, who has reached the age of sixty years, and has been in the service of the city for not less than twenty-five years, and is physically incapacitated, may upon his request and with the approval of the Retirement Board be retired from the service of the city with a life pension equal to one-half of the compensation received by him in the last year of his service; and under which also the Retirement Board must retire with pension any laborer who has served the city for not less than twenty-five years and has reached the age of seventy years, without regard to the question whether he is or is not incapacitated for further service.

I. THE LABOR PROBLEM.

The main question which the City Council should consider is whether the act will provide the most practical and humane solution of the problem of relieving the city of the expense of carrying on the pay rolls at full wages the employees in the labor service who have become inefficient on account of age. To decide this question properly requires a knowledge of the conditions in the labor service of the city.

For many years the city departments in which most of the laborers have been employed have been administered with far less efficiency, and at much greater cost, than such departments would have been administered under the conditions which ordinarily exist in private business. For political reasons large numbers of teamsters, watchmen, and other laborers, who were not actually needed, have been employed and retained by the city. Politics has also prevented the reorganization upon an economic basis of the forces in such departments, and the maintenance of proper discipline, and in consequence the city has suffered the loss of millions of dollars. Most of these losses were caused by the wasteful methods due to politics, which prevailed in the Paving, Sewer, Sanitary and Street Cleaning Divisions of the Street Department and in the Water Department; and in every case the carrying on the pay rolls of large numbers of unnecessary or inefficient employees contributed largely to the loss. In the Water Department there were about 1,000 employees in the winter of 1899–1900, or about 350 more than in 1895, although in 1895 the city operated a distribution system and also a large supply system, while in 1899–1900 it operated only a distribution system. The work had decreased about 15 per cent, but the force had increased about 50 per cent. (Finance Commission's Reports, Vol. II., pp. 36, 37.) In one branch of the work of the Street Department alone, the operation of the city's stone crusher, the city lost nearly a million dollars in twelve years, largely on account of the supposed political necessity of maintaining the crushers in order to provide employment for city laborers. (Finance Commission's Reports, Vol. I., pp. 216–220.)

Many other illustrations of the evil results of political influence in the labor service may be found in the reports of the Finance Commission, Vol. I., pp. 131, 132, 258, 274; Vol. II., pp. 36–38, 150, 202–204, 216, 217; Vol. III., pp. 222, 304, 306, 702, 1063, 1064.

In the Street and Water Departments, which employed the bulk of the labor force, the number of employees increased from 2,931 in 1895 to 4,209 in 1907, and their compensation from $2,195,201.50 to $3,244,726; an increase in number of 1,278 and in compensation of $1,049,524.50; both increases far beyond what the increase in the work warranted.

This combined pay roll at the two departments shows the result of years of subordination of business to political considerations, during which many devices were employed to load up the pay rolls with political adherents of the party in power for the time being. The civil service law was circumvented by the employment of "emergency men" when there was no emergency and no need of such men; by the making of "provisional" appointments which afforded a political favorite a job until the time when the Civil Service Commission could hold examinations, and by the appointment of men under various ingenious designations for work which could have been performed by laborers already in the city's employ.

The year 1907, however, marked the culminating point in these abuses. Large numbers of the unnecessary employees in the Street Department were discharged in the years 1908 and 1909, as a

result of the efforts of the then superintendent of streets to reduce the force. Others were eliminated as a result of the operation of the act which was passed in March, 1908 (chapter 210 of the Acts of 1908) requiring a certification of the pay rolls by the heads of departments under oath, and the approval of the Civil Service Commission. The extent of the abuses in the "emergency men" system was indicated in the report of the Civil Service Commission for the year ending September 30, 1909. The Civil Service Commission said (pp. 17, 18):

"Without question, thousand of dollars are saved to the city by the operation of the act (chapter 210 of the Acts of 1908) in keeping off the lists false 'emergency men,' and others whose employment in previous years the commission had no means of detecting with promptness. For example, from April to August, 1906 (a period when there were no snow storms), there were employed in the Street Department, weekly, from 220 to 360 'emergency laborers,' the majority of them generally five days per week; the cost to the city being frequently about $2,500 per week, or, if continued throughout the year, about $120,000 per year. This state of affairs was partially remedied by the requirement by the commission that the department should make such employments only from certified lists of men willing to take 'emergency' work, and termed 'regular extra laborers.' This reduced somewhat the number of men so employed; but since the Pay Roll Act became law, the number of such employments has been greatly lessened, so that in December, 1908, on investigation it was found that only about 120 men were employed on 'emergency' work."

The Civil Service Commission's pay roll inspector in the same report (see pages 69–71) told of the manner in which the Pay Roll Act operated to keep "students" and false "emergency men" off the Boston pay rolls:

"Another feature of the present system of pay roll inspection, and one that must commend it to every tax payer, is the aid it offers to discipline and the direct saving of vast sums of money by its tendency to keep 'students' and 'emergency men' off the pay rolls. 'Students' are men who may properly be on the pay rolls as regards Civil Service Law and Rules, *i. e.*, they may have been properly certified and appointed; but they are improperly drawing pay from the city, because (1) not willing to work at all; (2) refusing to do work proper to their rating, since it 'might lower their standing in the community' to be seen on the streets doing even such light work as picking up paper; (3) trying to serve two or more paying masters at one and the same time (the city, as might be supposed, always drawing the shorter end of the service, if any at all). These students used to be the despair of the district foremen, who found it impossible to get rid of them because of their influence with men 'higher up,' who, I doubt not, would have been only too glad in their turn, to shake off this influence. . . . 'Emergency men' (very properly employed if in real emergencies fully provided for by Civil Service Law and Rules) were another form of abuse, by which hundreds of thousands of dollars (I speak advisedly) have been drawn from the city treasury unnecessarily, and for which service to the city has been rendered in rare cases only."

In addition to the reductions in the number of employees thus accomplished by the Superintendent of Streets and the Civil Service Commission, there have been other reductions due to death or resignation; and the labor force in the Street and Water Departments was much more efficient in the years 1908–09 and 1909–10 than it has been for several preceding years. Nevertheless the labor force was then and still is far below the efficiency of a private contractor's force. In February of 1910 several city officials gave the Finance Commission their estimates of the efficiency of city laborers, as compared with that of laborers in private employ, and these estimates are set forth as follows in Vol. VI., pp. 38, 39, of the commissioner's reports.

"The former Superintendent of the Paving Division, James H. Doyle, stated to the former Finance Commission that the employees in his department did far less work than persons in similar occupations privately employed; and that the cost of work performed by city labor was far in excess of that performed for the city by contractors. Former Chief Engineer (now Deputy Superintendent) of the Paving Division, James H. Sullivan, states that the employees in that division are much less efficient than others in private employ; and that, in fact, contractors receive twice as much labor for each $2.25 expended as the city receives from the day labor force in the Paving Division.

"Chief Engineer of the Sewer Division, Edgar S. Dorr, states that work done by the labor force of the department cost 25 to 50 per cent more than it would cost the city if done by contract. Deputy Superintendent of the Sewer Division, C. Barton Pratt, states that the force is far less efficient than labor in private employ, as shown by the fact that the cost of work performed by the department force ranges from 50 to 100 per cent above the cost of similar work done by contract.

"Deputy Superintendent of the Sanitary Division, George H. Foss, estimates the efficiency of the labor force in this division as about two-thirds of that of private contractors.

"The present Superintendent of Streets, Guy C. Emerson, estimates that the average efficiency of the labor force of the several divisions of the Street Department is 25 per cent less than that of private contractors.

"The present Water Commissioner, William E. Hannan, states that the laborers in the Water Department perform about one-half as much work a day as a contractor's force, and that a contractor receives twice as much labor for the $2 he pays as the city receives for the $2.25 it pays."

There have been further reductions since 1910 in the force of the Street Department, now merged in the Public Works Department, but the efficiency of the force is about the same as it was a year ago.

It should be noted that the inefficiency of the labor force of the city is not due entirely to the presence of men who have grown old in the service and who, by reason of their age, have become unable to perform a full day's work. Much of the inefficiency of the labor force is due to politics and the resulting lack of discipline. Many of the younger employees, though able to do a full day's work, actually perform no more work than some of the older employees. It is true, however, that the inefficiency of the labor force as a whole is caused in part by superannuated employees; and therefore the removal of such employees would be a partial solution of the problem of inefficiency in the labor force as a whole.

II. The Justification for a Laborers' Pension Act.

Though many laborers now in the city's employ have rendered faithful service, the foregoing review of the situation shows that many others have not; and therefore a Laborers' Pension Act cannot be justified on the theory that the force as a whole is now entitled to exceptionally favorable treatment. The city's laborers have been and are being dealt with very generously as compared with laborers in private employ. The day laborers receive $2.25 a day, or at least 25 cents more than the prevailing rate paid employees of private contractors, whereas the city laborers' day, though nominally eight hours as against the nine-hour day of the employees of private contractors, is actually only seven hours, as at least an hour each day is lost to the city through the existing custom of going to the city yards within, instead of before and after the day's work. Thus it appears that the rate of pay per hour of actual work for city laborers is 32$\frac{1}{7}$ cents, and for laborers in private employ 22$\frac{2}{5}$ cents per hour, an excess of about 10 cents per hour, or about 45 per cent more for the city laborers. Moreover, the city laborers are paid for days when they attend their various annual picnics, for legal holidays, and for Saturday half-holidays; also for sick leave; the total allowances for these purposes amounting to about 10$\frac{1}{2}$ per cent of the day labor pay roll. On the other hand, laborers in private employ get no payment for holidays or sick leave as a rule, but are paid only for the time they actually work. Finally, the city laborers are now, and usually have been kept on the pay rolls continuously throughout the year whether there was work for them or not, whereas laborers in private employ are frequently laid off without pay on account of lack of work or stormy weather. It has been the almost invariable custom in this city to carry upon the pay rolls during the entire year large numbers of laborers and mechanics whose services for about four months of the year could have been dispensed with. Thus, the Commissioner of Public Works stated last year to the Finance Commission that 750 employees of the then Street Department, or about one-fourth of the force, could have been laid off on the 1st of December; and the commission believes about one-

fourth of the 558 employees of the Water Department could have been laid off likewise. The net result of the various differences between the conditions of labor in city and private employ is that, measured by the hours of actual service, the city laborer is paid at least 50 per cent more than the laborer in private employ. Moreover, the city laborer accomplishes much less per hour of actual service than the laborer in private employ.

The foregoing facts show that from the standpoint of the city as an employer of labor there is no justification for a Laborers' Pension Act, except the financial saving resulting from its operation. The old laborers, unless pensioned, will not be removed even though totally inefficient, in fact public sentiment would not sustain the policy of retiring such men without pension. Their wages, though larger than those of laborers in private employ, have been small in comparison with those of most other city employees; they have had little or no opportunity for advancement during their term of service, and a large proportion of them have made no provision for their old age. If retired without pension, most of them would be unable to obtain private employment or to perform work in private employ if it should be obtained for them. It must be assumed that unless retired with pension they will continue to be kept on the pay rolls at full wages; and this is in effect a very expensive pension system, already in operation, without sanction of law.

If the old and inefficient laborers in the city's employ were retired on a pension equal to half their former wages, as the pending act provides, and their places were not filled by new appointments, the city would save in the aggregate a sum equal to one-half the wages paid to all the retired laborers. If, however, the retirements were followed by new and unnecessary appointments the city would pay the full amount formerly paid as wages and half as much again for pensions. In every case of an unnecessary appointment to fill a vacancy caused by retirement, the city would pay $1.50 for every $1 it paid prior to the retirement; and its last state would be worse than its first.

III. Defects in the Pending Act.

A proper Laborers' Pension Act, faithfully carried out, would save the city a large sum every year. The pending act, however, does not meet the requirements of the situation, Its defects seem to the commission to be as follows:

1. Indefiniteness as to Beneficiaries.

In the first place it is so indefinite as to the persons who may become entitled to its benefits that it may lead to serious abuses. It provides pensions for "any laborer employed by the City of Boston who has reached the age of sixty years," and for "any laborer in the service of the city who has reached the age of seventy years," etc. Under these provisions a laborer who had previously been in the service of the city twenty-five years, but who had left the service voluntarily, or had been discharged, might be permitted to re-enter the service, not for the purpose of performing further work, but for the sole purpose of retiring with a pension a few days or weeks later. Such an attempt has already been made by some employees who were formerly in the city service, but were actually out of the service at the time when the pension act relating to veterans of the Civil War in the employ of the City of Boston went into effect. (Acts of 1911, chapter 113.)

2. Exclusion of Mechanics.

The act in terms applies to laborers, and not to mechanics, and though many persons are employed by the city as mechanics they would not, in the opinion of the commission, be entitled to the benefits of the act. These mechanics are classified by the Civil Service Commission as part of the labor force, but they are designated as mechanics, as distinguished from laborers, and as this distinction is based upon actual differences in the kinds of work performed by laborers and mechauics it would in all probability be upheld by the courts, and consequently mechanics would be debarred from retiring with a pension under the act. A considerable portion of the labor force would thus be prevented from retiring with pension. To illustrate — in the first year of the operation of the act 165 laborers in the Public Works Department would become eligible for retirement, and if mechanics were eligible thirty-three, or one-fifth of the number of laborers, could also be retired in that year. If, as the commission believes, mechanics could not be retired, discrimination between two branches of the labor force would result, which would be unfortunate for the city, as it would still leave a large part of the problem of superannuation in the labor force unsolved.

3. No Tests for Incapacity.

Under the pending act no tests are required and there is an opportunity to do injustice to the city by retiring one who is able to work, and for whom there is work; especially when there is work of a not excessively laborious nature, such as that of a watchman, custodian or stockkeeper. By placing such men in the comparatively easy positions they could be made useful to the city for a few years longer at least, and during this period the city would save the amount it would otherwise pay them as pensions if they were retired and other employees were put in their places at full wages. The city physician should make tests of the capacity of employees who are between sixty and seventy years of age and who request retirement.

4. The Service Period is Too Long.

The act provides only for laborers who have served the city not less than twenty-five years. This period is too long to be effective in dealing with the superannuated laborers, as many of them entered the city's employ so late in life that in all human probability they will not live to complete twenty-five years of service, but will linger on the pay rolls at an advanced age, and at a dead loss to the city of the wages they are paid. The advanced age at which many laborers entered the city's employ was shown by the reports of the former Finance Commission and the engineers whom it employed. It was shown that of the 1,253 laborers in the service in 1907 in the Water Department and the Sewer Division, 416, or about one-third of the force, were employed when forty years old or over, 249 when forty-five or over, and 99 when fifty years or over. (Finance Commission's Reports, Vol. I., pp. 268, 269; Vol. III., pp. 72 and 418.) Incidentally it may be noted that the facts cited show how false is the sentiment in the rhetorical phrases sometimes heard concerning "these men who have grown old in the city's service," implying that the men have given a life-time of service to the public. The fact is that while there are many old laborers working for the city, a large proportion of them were already well advanced in years when they secured their positions.

Information was furnished to the commission within the last few days by the Public Works, Public Grounds, Cemetery and Park Departments, as to the number of laborers who would be eligible for retirement under the act in the first year of its operation, and the ages and lengths of service of other laborers who would not become eligible in the same year. The information received is set forth in the table on page 411.

The first column shows 177 eligible for retirement in the first year of the operation of the act. The other four columns show that there are 185 laborers in these four departments who are either closely approaching the age when retirements would be possible under the act, or have passed the age, but who for the most part will in all probability never live to finish a twenty-five year period of service and hence never become eligible for retirement with pension under the act. Most of them will be obliged to continue at work in their advanced age with no possibility of securing a pension, while their younger fellow laborers, who entered the service earlier in life, will be able to retire with pensions.

5. No Provision for Contribution.

The pending act does not provide for contribution by the laborers. Contributions cannot of course be obtained from the employees who are eligible now and who would be retired with pension almost immediately after the act went into effect; but it should be expected from those who will remain on the city's pay rolls for a considerable length of time after the act becomes effective. As stated by the Finance Commission in its report upon the General Pension Act (chapter 619 of the Acts of 1910, as amended by chapter 338 of the Acts of 1911), a contributory feature will be attacked, but it is a necessary feature of a civil pension system for public employees and should be retained at all hazards. The city should not be required to help those who are unwilling to help themselves.

Department.	Number of Laborers Eligible for Retirement in First Year.	Number between Fifty-five and Sixty Years Old and Not Over Ten Years in the Service.	Number between Sixty and Sixty-five Years Old and Not Over Fifteen Years in the Service.	Number between Sixty-five and Seventy Years Old and Not Over Fifteen Years in the Service.	Number Seventy Years Old or Over and Not Over Twenty Years in the Service.
Public Works	165	61	54	14	14
Public Grounds	.....	6	12	1	3
Cemetery	4	2	4	.....	2
Park	8	4	7	1	.....
Totals	177	73	77	16	19

IV. A Better Act Should be Provided.

If a policy of pensioning laborers is to be adopted, it is especially important now, when for the first time in this or any other American city retirement acts for such public employees are to be tried, that legislation which will be of such far reaching importance and which will be regarded as a precedent, should be made as complete as possible at its inception and that each of its parts should be considered in its relation to the others. The pending act should be rejected, and a substitute should be submitted to the next Legislature. The object of any such act should be to save the city money now lost through payments of full wages to superannuated laborers and mechanics. To secure this object the following provisions should be contained in the act.

1. The service period should be fifteen years.
2. Mechanics in the labor force should be included as well as laborers.
3. Tests of capacity should be made of employees between sixty and seventy years of age by the city physician upon the request of the heads of departments.
4. Employees who reach seventy years of age should be retired without proof of incapacity on the filing of certificates of retirement with the City Auditor by the heads of departments.
5. There should be safeguards against the re-entry into city employ of those actually out of the service who desire to retire in a few days or weeks with a pension.
6. Heads of departments who intend to fill vacancies caused by retirement should be required to file a statement under oath with the City Auditor stating the reasons for filling such vacancies.
7. Certificates of incapacity of employees between sixty and seventy years old should be filed by the city physician with the auditor before retirements become effective.
8. The City Auditor should keep a record, open to public inspection, which would contain the essential facts in regard to retirements and the filling of vacancies caused thereby; and he should publish an annual report showing the effects of the retirement system upon the expenditures and the efficiency of the various departments.
9. There should be no Board of Retirement or Employees' Association; the City Treasurer should be able to administer the financial part of the system; and the heads of departments, aided by the city physician, should be able to administer the other part of the system.
10. There should be provision for contribution by the employees.
11. There should be a provision requiring the physical examination of laborers and mechanics who hereafter seek employment in the city's service, and prohibiting the employment of those who are physically unfit.
12. The act should become effective only upon its acceptance by the Mayor and City Council.

Conclusions.

The commission believes the pending act would not be effective in dealing with the problem of inefficiency in the labor force.

If such an act as the one suggested by the commission can be obtained, the city will be enabled to save a large sum annually, providing the system established under it is administered with proper regard for the city's financial interests. The act will not operate automatically to save the city money, and it may, through political abuses, such as the unnecessary filling of vacancies caused by retirements, operate to increase the city's expenses without materially increasing the efficiency of the labor force.

With such an act in effect, honestly administered, the deaths, resignations and retirements will in a few years reduce the labor force to a strictly maintenance basis, this force will improve in efficiency, and the construction work can then be done entirely by contract, all to the great advantage of the city.

Recommendations.

The commission commends:

1. That the pending act (chapter 413 of the Acts of 1911) be rejected by the City Council.
2. That a new Pension Act be drawn on the lines suggested herein and submitted to the next Legislature.

Respectfully submitted,

The Finance Commission,
by John A. Sullivan,
Chairman.

Referred to the Executive Committee.

EXTENDED USE OF SCHOOL BUILDINGS.

The following was received:

Boston Finance Commission,
October 18, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—Your Honor's communication to the Finance Commission under date of October 10, 1911, calls for a statement by the commission as to whether it agrees with the conclusion of the School Committee that "however favorably inclined the School Committee might be to more extended use of school buildings it is unable to proceed further than it does at present in the direction suggested without receiving additional money from other sources than those now available for school purposes."

In the report upon the public schools submitted by the Finance Commission under date of October 7, 1911, the commission said (page 60): "There should be an even more extended use of the school buildings as soon as the necessary funds can be provided"; and on page 187 it recommended—"That the existing policy of permitting the use of school buildings for other than school purposes be extended as funds become available." Much of the report is devoted to an analysis of school expenditures, which, if studied, could lead to no other conclusion than that the authorized school appropriations are none too large, even though strictly limited to school purposes, and that it

would be dangerous for the School Committee to assume the extra expense of heating, lighting and cleaning school buildings, together with other expenses resulting from the use of such huildings outside of school hours for other than school purposes. It might happen in a particular year that the School Committee could provide the money necessary for the purpose in question, hut this could not be known at the heginning of the year. Thus at the beginning of the fiscal year 1910–11 the School Committee would douhtless have heen unwilling to pledge in advance the money requested for such extra use of school buildings, though at the end of the year there was an unexpended halance of $35,093.17 to the credit of the schools which, under the law, was reappropriated for the support of the schools in the following year. This balance would not have existed, however, if it had not been for the wholly unexpected reduction in the number of pupils in the day elementary schools; and the School Committee would not have been justified in appropriating money at the heginning of the last year for the extended use of school buildings, as it could not assume at that time that the money would not be needed for the support of the schools, the maintenance of which is a duty imposed by statute upon the School Committee.

In order to frame an intelligent program, which can be carried out without danger of interruption due to shortage of funds, it must he known at the heginning of the year how much money will he availahle for the use of school huildings for other than school purposes. The Finance Commission helieves that a definite policy for such use of the school huildings should he established, that a program should be arranged at the beginning of each year, and that an appropriation should he made for that purpose.

The commission believes, however, that under existing law no satisfactory plan for the extended use of school huildings can he worked out. The present difficulties seem to the commission to be as follows:

1. The School Committee has no legal authority to appropriate any of the money now authorized for school purposes for any other purpose, however meritorious. Therefore, a considerable part of the program for the extended use of school buildings would have to be provided for out of funds other than those which the statutes now authorize the School Committee to appropriate, although other parts of the program might he carried out under the existing powers of the School Committee. Moreover, as already stated, the School Committee cannot, out of the appropriations now authorized hy law, set apart a sum for the use of school buildings for other than school purposes, without taking the risk of leaving insufficient money for the purpose for which school appropriations are authorized, to wit, the education of the pupils in the puhlic schools.

2. For some of the objects embraced in the program for the extended use of school buildings the City Council may lawfully appropriate money, hut for such other parts of the program as are included withiu the meaning of the term — school purposes — the Council could not appropriate money.

3. The program as a whole could not be carried out either by the School Committee or hy a department created by ordinance, and it would he unwise to permit part of the program to he carried out by the School Committee and another part by a department created hy ordinance and independent of the School Committee.

4. No department can be created hy ordinance which would take from the School Committee any part of its jurisdiction over school buildings, as the School Committee, under the statutes, has sole charge and custody of such buildings, and such an ordinance would therefore be in conflict with the statute and consequently void. The ordinance which was suhmitted by your Honor to the City Council under date of Octoher 9, 1911, and which is now pending in the City Council would he of no effect if passed, as it would be in conflict with the statute. (See opinion of the Corporation Counsel, Junc 27, 1911; City Council Minutes of 1911, page 257.)

The commission believes that the only practical way to insure the success of the experiment involved in the extended use of school huildings would be to securc the passage of an act hy the incoming Legislature to authorize the School Committee to appropriate not exceeding two cents upon each $1,000 of the valuation on which school appropriations are based; the sum so appropriated to be used for the extended use of school buildings under rules and regulations established by the School Committee. It would he unwise, even if it could be accomplished legally, to have a divided jurisdiction ovcr school huildings, the School Committee exercising its jurisdiction over such buildings during school hours and another department exercising similar jurisdiction for parts of days and during vacation time when the schools were not in session.

An act passed by this year's Legislature (chapter 367 of the Acts of 1911) authorizes the School Committee of any city or town which accepts the provisions of the act to grant the temporary use of halls in school buildings upon such terms and conditions and for such puhlic or educational purposes (for which no admission fee is charged) as the school committee may deem wise, provided that such use shall not in any way interfere or be inconsistent with the use of the halls for school purposes.

This act will become effective in the City of Boston when accepted hy a two-thirds vote of the City Council, if approved by the Mayor. The acceptance of this act by the City Council would settle the question of the right of the School Committee to grant the use of school halls for public purposes not educational in their nature, hut it will he necessary to get additional legislative authority to appropriate the money needed for such additional uses of school buildings.

The prohlem of providing money for the extended use of school buildings has been considered by the Cambridge School Committee, which recently declined to appropriate money out of the school funds for such purposes on the ground that it had not legal authority to make such an appropriation. The new Cambridge charter, which is to be submitted to the voters of that city at the state election in Novemher next, contains a provision under which the School Committee is authorized to appropriate the money needed to pay the expenses of puhlic meetings in the huildings and grounds under its control outside of school hours for adults as well as children. (Acts of 1911, chapter 531, section 20.) The commission believes this is the proper method of solving the problem of the extended use of school huildings.

The commission recommends:

1. That the Mayor petition the next Legislature for an act authorizing the School Committee to appropriate not exceeding two cents upon each $1,000 dollars of valuation upon which appropriations are hased, said sum to he used by the School Committee for the extended use of school huildings under rules and regulations to be established hy the School Committee.

2. That the Mayor and City Council accept chapter 367 of the Acts of 1911, authorizing the School Committee to grant the temporary use of halls in school huildings for public or educational purposes.

Respectfully submitted,

THE FINANCE COMMISSION,
hy JOHN A. SULLIVAN,
Chairman.

—

City of Boston,
Office of the Mayor, October 20, 1911.

Boston Finance Commission:

Gentlemen,—Your communication of October 18, in reply to mine of Octoher 10, concerning the extended use of school huildings, has heen carefully considered hy me.

The suggestion that steps he taken to accept on the part of the city chapter 367 of the Acts of 1911 seems to me a proper one and I shall send a message to the City Council recommending that this chapter he adopted.

In dealing with the general question whether the funds necessary to provide for the extended use of school huildings for purposes of education and recreation could he taken from the regular appropriations of the School Department without injury to its work, you say in suhstance that such an application of the regular funds would he dangerous. According to your own recommendation, namely, that the Legislature he petitioned to authorize the School Committee to appropriate two cents on each $1,000 of valuation for this purpose, the amount required for a reasonahle and comprehensive plan would he about $30,000. I am to understand, therefore, that in your opinion the School Committee out of its appropriation for 1911–1912, approximating $5,000,000, cannot spare

the moderate sum of $30,000, although you admit that its balance for last year was about $35,000.

I am constrained to ask whether you have given a careful study to one feature of the school expenditures. On pages 83–86 of your report you note that in the last school year there was a decrease of 1,934 pupils in the elementary schools and 209 pupils in the evening schools, which was only partly offset by an increase of 1,071 pupils in the Latin and High schools and 73 pupils in the Normal and special schools. The decrease of 1,934 pupils in elementary schools at $24.76, which is the annual cost of instruction per pupil, would mean a saving, other things being equal, of nearly $50,000, while the increase of 1,071 pupils in the Latin and High schools at $66.82 per pupil, would mean an added expenditure of about $71,500. The net increase in expenditure thus due to the increase in the number of pupils would be something under $25,000.

Thus we have a balance of $35,000 and an increase in the appropriations due to the normal increase of valuations, which will probably exceed $100,000 each year. That is to say, the average increase of valuations for the five-year period from 1905 to 1910 was $27,000,000 and at approximately $4 per thousand this will bring in over $100,000 per year. In other words, the School Committee has a net increase of $100,000, with a balance this year of $35,000, to provide for an increase of school population involving a net expenditure of only $25,000, leaving about $110,000 clear for the general improvement of the school system. This is a large amount and, in my opinion, satisfactory reasons should be given before a body as responsible as the Boston Finance Commission should recommend additional expenditures.

One reason for the decrease in the numbers last year is not mentioned in your report. This is the building of parochial schools in different parts of the city. It is well known that several such schools have recently been erected and have drawn away thousands of public school pupils and that others are contemplated or in course of construction. I think it singular that no mention was made of this feature and would respectfully inquire whether you have taken it into account in your forecast of future needs, leading up to the last recommendation in your list that "if necessary the Legislature be asked to grant a larger appropriation for school purposes."

It is obvious that if the school population continues to decrease the need of increased appropriations is correspondingly diminished and other means might be provided for the extended use of school buildings without imposing additional burdens upon the taxpayers.

Yours respectfully,
JOHN F. FITZGERALD, Mayor.

Boston, October 25, 1911.

Hon. John F. Fitzgerald, Mayor:

Sir,—The Finance Commission has received your Honor's communication, dated October 20, 1911, concerning the extended use of school buildings. In the report of the Finance Commission on the extended use of school buildings, dated October 18, 1911, the commission pointed out that the school funds could not lawfully be used for many of the purposes included in the program for the extended use of school buildings; that is, the program could not be carried out in its entirety by the School Committee under existing law. This objection seems to the Finance Commission to be decisive of the questions raised in your Honor's communication; but, even if the school funds could lawfully be used to carry out the entire program for the extended use of school buildings, it would be dangerous for the School Committee to set aside for this purpose in the beginning of any year funds which before the end of the year might be needed for the more important duty which the law places upon the School Committee, namely, the education of the children in the public schools.

Moreover, the Finance Commission does not believe that any substantial saving could be effected if the number of pupils in the elementary schools should decrease hereafter. It is true that if the number of pupils in a particular school district should be largely reduced a saving could be effected in that district by reducing the number of teachers and the quantity of books and supplies. But no saving would be made even in that district in the fixed charges, such as the cost of administration and supervision, fuel, light and janitor's service. The decrease, however, if any occurs hereafter, will probably be fairly uniform throughout the various schools and classes in the city and. though the quota of pupils per teacher would be reduced in some instances, the decrease in the number of pupils would probably not be so great as to warrant any material reduction in the number of teachers; hence no substantial saving would be effected.

The commission, however, does not anticipate any decrease hereafter in the number of pupils in the public schools. In its report on the school system, dated October 7, 1911, page 85, the commission said:

"The decrease of about $1\frac{2}{3}$ per cent in the number of elementary school pupils and of about $\frac{1}{2}$ of 1 per cent in the number of pupils in all schools furnishes no occasion for alarm; the falling off in all probability is only a temporary one, and in future years the normal increase of previous years may be expected."

The commission in the course of its study gave careful attention to the possible effect of parochial schools upon the public school population, but omitted reference thereto, as it felt that the subject of its report was the public schools and not private schools. During the commission's study last summer the figures showed an apparent falling off in the parochial school population very similar to that in the public schools. Information which has since been received, as the result of a recent conference between representatives of the public and the parochial schools, shows, however, that there was an increase last year of 323 in the average number of pupils belonging in the parochial schools. The increase in the previous year was 198; and there was an average annual increase of 193 during the last five years. On October 1, 1910, there were 17,207 pupils enrolled in the Boston parochial schools; on October 1, 1911, 17,852 were enrolled, an increase of 645 in the total enrollment. The enrollment figures are always greater than the figures showing the average number of pupils belonging, as many pupils drop out after enrollment. It is evident therefore that the decrease of 1,934 pupils in the average number of pupils belonging in the elementary public schools is not accounted for by an increase in the same period of 645 pupils in the number enrolled in the parochial schools, or by the smaller increase in the average number belonging in the parochial schools.

The Finance Commission believes that its report of October 18, 1911, outlined a lawful and practical means of providing for the extended use of school buildings; that the way suggested by your Honor in your communication to the City Council, dated October 9, 1911, namely, to create by ordinance a new department to divide jurisdiction over school buildings with the School Committee, would be unlawful; and that your Honor's later suggestion contained in your communication to the Finance Commission under date of October 20, 1911, is impracticable.

If the valuations of the city, and consequently the amounts available for the public schools, shall hereafter increase in greater proportion than the number of public school pupils, any surplus which would thus be created could not then lawfully be used for a large part of the program for the extended use of school buildings. Moreover, if such a surplus should be created, the commission believes that it should be used to provide more teachers, to reduce the number of pupils per teacher, and by this and other methods give the children in the public schools a better education than they now receive.

Respectfully submitted,
THE FINANCE COMMISSION
by JOHN A. SULLIVAN,
Chairman.

Referred to the Committee on Ordinances.

THE "VIGILANT."

The following was received:

Boston Finance Commission,
Boston, October 26, 1911.

The Honorable the City Council:

Gentlemen,—In response to the request of the City Council on September 11, 1911, for a report and recommendation on the subject of the replacement of the Health Department steamer "Vigilant" by a new and larger steamer, the commission respectfully submits herewith a report made by its engineer, Mr. Guy C. Emerson, under date of September 4, 1911, which should be read in connection with his earlier report, dated August 7, 1911, and the report of James Donald, naval archi-

tect. Mr. Emerson's report of August 7 is printed in the Minutes of the City Council under date of August 22, 1911 (pages 297, 298), and Mr. Donald's report appears in said Minutes under date of September 11, 1911 (pages 326–328). In Mr. Emerson's report of September 4 it appears that he is still of the opinion that a sufficient examination has not yet been made to warrant the conclusion that a new boat is necessary. He is still of the opinion that a proper examination by an individual or board familiar with wooden steamboat construction is likely to prove that repairs not exceeding $8,000 in cost will make the boat serviceable for fifteen years longer. If it should appear, after proper examination, that an expenditure of $8,000 or less for repairs would put the boat in condition for fifteen years longer service it would be a mistake to spend $48,000 now for a new steamer.

Neither the Finance Commission nor Mr. Emerson has at any time opposed the building of a new boat if an adequate examination should prove that the "Vigilant" could not be put in good condition for future service by the expenditure of a comparatively small amount for repairs. The commission believes the amount involved is large enough to warrant the making of such an examination as Mr. Emerson recommends; and that the appropriation for a new boat should not be made until such an examination is made and the necessity for a new boat demonstrated.

Respectfully submitted,

THE FINANCE COMMISSION,
by JOHN A. SULLIVAN,
Chairman.

—

September 4, 1911.

Hon. John A. Sullivan,
Chairman Finance Commission:

Dear Sir,—I return herewith the letters of William A. Leahy, secretary to his Honor Mayor Fitzgerald, with the appended report on the condition of the steamer "Vigilant," by James Donald, naval inspector, at present connected with the Fore River Shipbuilding Company.

I have examined the report of Mr. Donald carefully, and find that his investigation discloses exactly the same defects and weaknesses which were outlined in my letter of August 7, except that he also specifies the necessary strengthening to the towing bitts and renewal of water tanks. These defects were pointed out to me, but were not given attention in my report as being in the nature of ordinary repairs and of slight importance. The examination made by Mr. Donald seems to have been practically the same in extent and as regards locations as previously made by Engineer Fay and his associate, except that a piece of inside ceiling was removed in one place below the water line. It is significant that in this place the timbers of the boat were found to be in good condition. No estimate of the cost of repairs has been furnished by Mr. Donald, and no figures or statements to disprove the maximum estimate of $8,000 for putting the boat in good condition, given in my report.

The statement of conditions disclosed by Mr. Donald's examination are contained on the first three pages of his report. The remaining five pages are devoted to a discussion of the deficiencies of the "Vigilant," viewed in the light of modern regulations for steam vessels, which regulations, however, do not apply to the "Vigilant," as such regulations have been enacted since the "Vigilant" was built. It does not appear that the reasons given by Mr. Donald for building a new boat, other than the structural conditions, have been previously mentioned in any of the discussions, or in the letter of Mayor Fitzgerald of June 8, transmitting documents to the City Council, together with the request for an appropriation; neither do these matters seem to be ones for expert judgment, and in regard to the same I have no comment to make.

Several articles have recently appeared in the daily press in connection with the matter that make it appear that the inspection of Mr. Donald developed conditions different from those shown by my examination and that his report is contradictory to my own. As a matter of fact you will see by reading the two reports that they disagree in no way, so far as they cover the same ground.

The intent of my report was to make it clear that, whatever was the actual structural condition of the boat, the recommendations for a new boat were not warranted by any structural condition so far shown. It does not appear that the present examination shows anything beyond what already has been shown. Neither, in my opinion, does the present examination as regards structural conditions warrant the conclusion that a new boat is necessary. The question, so far as conditions are known at present, seems to be whether it would be best to expend a comparatively small sum of money and use the present boat for a considerable term of years, with the same discomforts to the crew that they have experienced for twenty-six years past, or whether it would be advisable to spend a much larger sum to secure a larger boat with increased comforts and probably also material increase in running expenses.

While I do not pose as a naval architect, I was, for several years of my life, intimately associated with the construction and repairs of wooden shipping and am perfectly familiar with conditions and methods pertaining thereto, and my report was submitted after consultation with naval architects and shipbuilders actively engaged at the present time in the design and construction of wooden tow boats.

Respectfully submitted,

GUY C. EMERSON,
Consulting Engineer.

Referred to Executive Committee.

CONFIRMATION OF APPOINTMENTS.

Coun. BALLANTYNE called up Nos. 1 and 2, unfinished business, viz.:

1. Michael J. McTiernan and William H. Marnell, to be Constables for the term ending April 30, 1912. (To serve without bonds—truant officers.)

2. Francis X. Malley, to be a Weigher of Coal for the term ending April 30, 1912.

The question came on confirmation. Committee—Coun. Ballantyne and Curley. Whole number of ballots cast 9, yeas 9, and the several appointments were confirmed.

HANDBALL COURT, L STREET BATH.

President COLLINS called up No. 3, unfinished business, viz.:

3. Ordered, That the City Auditor be and hereby is authorized to transfer the appropriation for Handball Court and Shower Baths, L Street Bath House, to the appropriation for L Street Bath Additions, etc.

The order was given its second and final reading and passage, yeas 9.

TRANSFER OF $25,000 FOR MAKING OF HIGHWAYS.

President COLLINS called up No. 4 on the calendar, unfinished business, viz.:

4. Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of twenty-five thousand dollars ($25,000) from the appropriation for Reserve Fund to the appropriation for Highways, Making of.

The order was given its second and final reading and passage, yeas 9.

WIDENING OF UNION PARK STREET.

President COLLINS took No. 5 from the calendar, unfinished business, viz.:

5. Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of seventy-five thousand dollars ($75,000) from the appropriation for Reserve Fund to an appropriation for the Widening of Union Park Street, to be expended under the direction of the Board of Street Commissioners.

The order was given its second and final reading and passage, yeas 8, nay 1, Coun. SMITH voting nay.

PLAYGROUND, WARD 19.

President COLLINS took up No. 6 on the calendar, unfinished business, viz.:

6. Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of forty thousand dollars ($40,000) from the appropriation for Reserve Fund to the appropriation for Playground, Ward 19.

The question came on the second and final reading and passage of the order.

Coun. SMITH—Mr. President, when this order came up for its first reading I objected on the ground that there was $60,000 available for a playground for Ward 19 at the present time and that there was no need of $40,000 additional. The Park Commissioners have told us that they could not find a location in the last three years to use the $60,000 that they already have upon. They have, therefore, intended to solve the problem by buying, instead of one playground, two playgrounds. Only one of these playgrounds is to be used for the children. The other they intend to make a ball ground out of. Now, there are available for the boys of Ward 19 three playgrounds,—Marcella Street, Columbus Avenue and the Fenway. I am credibly informed that the ball ground which the Park Commissioners intend to make is within 1,200 feet in an air line of the ball ground on the Fenway, that it is directly opposite the grounds now occupied by the Wentworth Institute where recreation facilities have been developed, so that there will be no need of an additional playground in that immediate vicinity. The location is in the smallest precinct in the ward, with only 375 voters in the precinct. It is at the extreme limit of Ward 19. It is well out of the congested district, the district immediately back of the Mission Church. It is not the district which desires a playground; it is not the district which originally asked for a playground. The movement for a playground for Ward 19 was started by the members of the St. Alpbonsus Association, members of the Mission Church. They worked hard for the $60,000 appropriation and got it, and it was then worded for the Parker Hill district, which would have benefited the district that worked for the loan. As it is working out at the present time, and as it is developing under Mr. McInerney's nursing, the playground is to be put at the extreme limits of the ward, where the Mission Church will not benefit by the appropriation. It seems to me that we are not justified in giving $40,000 additional so that Ward 19 can have two playgrounds. Members of the St. Alphonsus Association object to this strongly.

Coun. BUCKLEY—Mr. President, I object to the gentleman using the Mission Church exactly in the way he has. The Mission Church has not come in here and asked for a playground in that section of the city. It has not asked for anything. I think he ought to be more careful in the way he uses the name of the church.

Coun. SMITH—Mr. President, the St. Alpbonsus Association, members of the Mission Church, who originally worked for this appropriation, are now against having the $40,000 granted and are now against the location of the ball ground at the extreme end of Ward 19.

Coun. CURLEY—Mr. President, I would like to ask Coun. Smith how he knows they are against this additional $40,000?

Coun. SMITH—Mr. President, in addition to that I would only like to quote a remark made to Coun. Curley at the time he voted for this originally. As he left the Chamber he was told that the $40,000 was not asked for by the members of that association.

Coun. CURLEY—Mr. President, if I may be permitted, I would like to ask a question. Of course Coun. Smith is in possession of certain information, or would have us believe that he is. He says that Mr. McInerney desires the playground located in some section of the ward. I would like to know what basis he has for believing that the Park Commission will locate that in some section in which Mr. McInerney desires it located? Has he any basis for that statement? I might say, before he answers that question, so as not to place him in a wrong light, that at the request of Mr. Woods last Friday night I rang up Mr. Coakley and asked him if the Park Commission had decided where they were going to locate the playgrounds in Ward 19, and the character of the playgrounds, stating that those persons in the vicinity of Parker Hill were desirous that the larger playground be located there, with the ball field. Mr. Coakley said he had no more idea of where they would be located than had I. I told him I had no desire to know where they were to be located, that I simply desired to express the wishes of the people of the neighborhood of Parker Hill that a playground should be located there, and Mr. Coakley informed me that it was the desire of the Park Commission, so far as he knew it, to locate a playground in that section. Now Coun. Smith says that Mr. McInerney intends to have it located in another section. I would like to know what basis he has for that statement?

Coun. SMITH—At the conference we had at the last meeting with the Mayor and the Park Department they frankly stated, while they did not care to tell us where the locations were to be, that they had two locations definitely in mind. That was stated to the Council as a whole in the Mayor's office. Furthermore, I would state, as a ground for saying that Mr. McInerney has an interest in this,—while I may not care to tell all my grounds,—merely the fact that he has been buttonholing the members of the Council at the last two meetings in their own Council meetings. That is evidence enough. That is common knowledge to all. As a matter of fact, the district that needs the benefit of a playground in Ward 19 is the district back of the Mission Church, where the buildings are in a very dilapidated condition, where the schoolhouses are located; and it seems to me it would be the wise thing to buy land around a schoolhouse, although I don't care where they buy land for a playground, to increase the ground about the schoolhouse. That could be done without any greater expense than it will be to go to the extreme limits of the ward. The land opposite the Wentworth Institute, now being considered, is land now assessed for 40 cents a foot. That is almost identically the assessment of the land back of the Mission Church. The buildings back of the Mission Church would add nothing to the expense of the playground, even if they were torn down. Therefore, it seems to me only fair that the district which originally got the appropriation of $60,000 for this playground should be the district benefited by it, and that the playground should not be removed to some remote part of the ward, a part of the ward that is within 1,200 feet of the Fenway Playground, a part of the ward where real estate values are going up, while back of the Mission Church the real estate values are stationary. It seems to me they are building two playgrounds where we were only asked to build one; $60,000 is ample. It will more than pay for the playground that is demanded by the children of the ward—and those are the only persons to be considered in this matter; not the grown-up boys, who can easily go to any of the existing playgrounds, but the small children, who demand a playground. I have good authority for saying that if this matter goes through this Board it may be checked later on. The people who asked and acted in behalf of this thing originally are the people to be most considered,—the Parker Hill district, the district about the Mission Church,—and they are not asking for $40,000 additional. If we grant $40,000 additional they are not the persons to benefit by it. It seems to me a perfectly useless expense. The people of Ward 19 deserve a playground, and they will be getting it with the $60,000 they now have. They have not asked for two playgrounds, and the children of that ward don't need two playgrounds, when they are surrounded with three other playgrounds. If we are going to do anything, let us buy land back of the Mission Church, tear down the rattle-trap buildings existing at the present time, which need to be cleaned up, and have a place there. It may be wise to buy land immediately surrounding one of the schools there, enlarging the school yard to the size of a playground, making a kind of municipal center there. But we ought not to grant $40,000 additional for land at the extreme end of the ward, where land is going up in value, in the smallest precinct of the ward, within 1,200 feet of the Fenway Playground. I sincerely hope the order will not pass.

Coun. CURLEY—Mr. President, I do not desire to prolong the discussion, because the councilor is arguing on the question of the location of a playground—and, after all, we have nothing to do with the location of a playground. We simply appropriate the sum of money which, in the opinion of the Park Commission, is sufficient, necessary for playground purposes in Ward 19. I simply want to point out to Coun. Smith the fact that perhaps it is well for us that we do not know where

the playground is going to be located. So far as Mr. McInerney is concerned, I will say that he never approached me with a request to vote for or against this original proposition; that it was Mr. Prendergast of the Park Commission who requested me to call on bim about a month ago and who said they couldn't do anything with the $60,000; that they required $40,000 additional to work the thing out; that the matter has been hanging fire about tbree years; tbey have had a number of hearings, public and private, and that $100,000 is necessary to carry out the plan. The fact remains that we haven't anything to do with the location of a playground; that we simply appropriate the money for playground purposes, and that the location is a function of the Park Commission, purely. Mr. Woods of the St. Alphonsus Association called on me Friday night and said that they proposed to hold a meeting in St. Alpbonsus Hall and voice the opinion of the residents of Ward 19 as to what section a playground should be located in, and they invited me out there and said he proposed to invite the Park Commission, as well as the members of the Council, out there. But even if we did go there, we would merely have an opportunity to voice our opinion, the same as any other citizen, and it would have no greater weight. The fact remains that in connection with the Mission Church there is to-day a schoolhouse which educates 2,800 children, and if we place the cost of educating each child at $100 annually, there is a contribution of $280,000 that that church makes to the City of Boston in the cause of education. If the playground were to cost $100,000, I don't think that would be an excessive amount to expend to provide a playground in that vicinity, under the circumstances,—and I don't know where the school is located. I have the figures from Mr. Woods. As far as the Park Commission is concerned, I talked witb Mr. Coakley Friday night and he told me it was necessary to place the largest playground, with the ball field, in the vicinity of the Parker Hill district, and that the other amount would be spent for a playground according to the necessities of the ward. I believe this order should go through.

Coun. HALE—Mr. President, in my opinion Ward 19 should have a playground. The Park Commission reported that $60,000 was not enough to give them a playground, and I therefore agreed to vote to increase the amount $40,000. But I agree with Coun. Smith and Curley that those whose wishes should be most considered are the ones connected with the St. Alphonsus Association and the Mission Church, under the circumstances. Coun. Smith says the Mission Church objects to this increase of $40,000 and Coun. Curley says that they are in favor of it. We ought to find out definitely what the situation is in connection with this question. If the St. Alphonsus Association, the members of the Mission Church, are opposed to the $40,000, there must be something wrong with the proposed increase in the appropriation, and I therefore would like to move that the matter be referred to the Executive Committee with instructions to get in touch with the St. Alphonsus Association and the members of the Mission Church, getting representatives down here some time in the course of the next week, so that we may find out exactly what the situation is. I would like to so move.

Coun. CURLEY—Mr. President, this matter has been passed back and forth for about three years, and I feel that it is about time for action. It is not the question of the appropriation that concerns them out there; it is the question of the location of the playground, and that is no concern of ours. That is their concern and the concern of the Park Commission. But the Park Commission cannot accede to their desires until such time as they have sufficient money to do so. We are asked to provide the money; they settle the question of location among themselves.

Coun. SMITH—Mr. President, I think, technically speaking, that Coun. Curley is right in saying that we have nothing to do with tbe location of a playground. But yet Coun. Curley goes on to argue at some length about the location of tbe playground. In other words, he destroys all the weight of his criticism. We are not voting for one playground in Ward 19 by adding this $40,000. We, by authorizing this $40,000, are helping the Park Department out of a dilemma. For three years they have been trying to find out where to put a playground in Ward 19, and they are no nearer a solution of that question to-day than they were then. Consequently they come to the Board and say, "We cannot pick out one playground that will satisfy Ward 19, and so we want $40,000, and we will then pick out two playgrounds that will satisfy botb factions." But this Board has never been asked to provide two playgrounds. While we are all agreed that there should be one playground for Ward 19, some of us, including myself, are not agreed that there should be two. If the Park Department is not competent to determine in regard to the location of the playground, they should not come to us to help them out of their dilemma. One playground for the children of Ward 19 is all that is needed at the present time, and they should have it, but there is no reason for granting $40,000 in order that they may have two playgrounds there. It seems to me very much in point to discuss the location of the playground. If they are going to grant two playgrounds, as they told us they were in the Mayor's office at the last meeting, it is an entirely different matter from discussing and providing one playground, as originally intended. If they are going to put one of the two playgrounds, as I am credibly informed, at the extreme end of the ward, near the Fenway, where there is already a good playground, I do not believe in it. I do believe there should be a playground for Ward 19, and every one of us is anxious to help out Ward 19; but we may not be equally anxious to help the Park Department out of a dilemma. They have got themselves into a tangle; let them get themselves out of the tangle. Tbe money we have already appropriated is ample. The Park Department told us at the last meeting that $50,000 was ample for one playground to meet the needs of the children of Ward 19. I asked the chairman that question myself. That is all tbat Ward 19 is asking for; that is all tbat the St. Alphonsus Association is asking for. There is ample money to grant it, and it seems absurd to give $40,000 additional.

Coun. McDONALD—Mr. President, I think the gentleman on my right here (Coun. Smith) is in possession of information that no other member of the Council possesses. I attended that meeting at the Mayor's office and I did not hear the commission say that $60,000 was ample to buy one playground, but that they desired to buy two. They said that $60,000 was not enough to buy a playground for Ward 19, that tbey had to have $40,000 more. The gentleman here, according to his remarks at the last mecting, said tbat they had playgrounds enough in Ward 19 and that he did not think they needed any more. He did not say that if they had one more playground they would have enough. He said they had ample playgrounds in Ward 19 and that they did not need any more. The members of the St. Alphonsus Association and members of the Mission Church have not come and talked with me over the situation. They have not talked with any other member that I know of. We haven't any right to say what piece of land the Park Commission should buy. They say they need more money. I think the people on Parker Hill need a playground, and if they cannot buy it for $60,000 it is up to us to give them the extra $40,000, in order to buy land for a playground. So far as I am concerned, I think the Park Commissioners are honest enough to buy land and get the proper sites for the people of Ward 19. If they do not need the whole $100,000, they will turn the rest of the money back. But I think we ougbt to give them this money and get this playground for Ward 19 that the members of the St. Alphonsus Association have been fighting for for three years. They have been to all the hearings we have ever had. They asked us for money for a playground for Ward 19, and the Park Commissioners have appeared at two public hearings in Ward 19 and told the people that they didn't have money enough, and that, unless they got more money, tbey could not establish a playground there now. We are trying to give them more money. If the gentleman is in possession of information that we have not got, he should give it to us, and I don't think he should say that anybody is interested in buying land there and come here and tell us that the Park Commissioners have decided to buy a playground at some extreme end of Ward 19 where there are playground facilities enough at the present time. How does he know? The Park Commissioners say they don't know where they are going to buy the land, and there is no other member of the Council who claims to know. The only thing I am interested in is giving the people of Ward 19 a proper playground, and I don't think they can get it for $60,000.

Coun. HALE—Mr. President, I would like to withdraw my motion to refer to the Executive Committee and move instead that the matter be assigned for one week.

President COLLINS—If there is no objection, the motion stands withdrawn.

Coun. HALE—Mr. President, this motion to postpone action for one week is not made with the slightest desire of opposing the loan, but one of the members of our Council has informed us, in the first place, that the St. Alphonsus Association is opposed to this additional $40,000, without regard to location, and in the second place, that there is some possibility of a land scheme here. I think it behooves us to wait seven days. We are all on record in favor of this, so there is no question of our playing with the thing. I believe we ought to investigate the matter, and I make that as a motion.

Coun. CURLEY—Mr. President, on the motion to assign I would say that I feel that the councilor on the other side of the Chamber has been extremely careless in a great many of his statements. I am going to vote in favor of laying this over for a week, in order to afford Coun. Smith an opportunity to present some facts at the next meeting to substantiate the statements that have been made by him to-day. I have had no conversation with Mr. McInerney, and I don't know what his position is on this proposition; but I assume, as a representative of Ward 19, that he takes an interest in that ward and is naturally desirous of seeing this appropriation passed, and that he is doing what I or any other representative would do—doing his best to secure its passage. If there is any member of this Board who feels that Mr. McInerney has solicited votes improperly upon this matter or has made any statements that are other than they should be, I believe it is up to that member to bring in the information at the next meeting. I believe that is up to Coun. Smith, and I believe it is up to Coun. Smith to bring in any information as to the position which he says is taken by the St. Alphonsus Association upon this proposition, because personally I do not feel that they have taken any position objecting to receiving an additional $40,000. I think that is purely imaginary on the part of Coun. Smith. If they have taken that position, it is the first time in my life that I have ever known it to be taken by people in any section of the city in the case of an improvement intended for their section, and I believe it is up to him to bring in information on that particular proposition. I trust that the matter will be assigned for a week, to give the councilor an opportunity to bring in something to support those statements or to apologize for having made them.

The motion to assign the matter for a week was carried.

WIDENING OF UNION PARK STREET.

President COLLINS next called up, under unfinished business, No. 7, viz.:

7. Ordered, That the sum of $75,000 be appropriated to be expended by the Board of Street Commissioners for the widening of Union Park street, between Washington street and Harrison avenue, and that the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

President COLLINS—The Chair would state that No. 7 on the calendar has been superseded by No. 5 on the calendar. The question comes on the rejection of No. 7 on the calendar.

Coun. SMITH—Mr. President, I simply rise to a point of information. I believe on the "Vigilance" matter a loan was superseded by an appropriation. In this case it is apparently true that the same thing has happened, and I should like to simply ask for information on what ground this is being acted upon at the present time, whether it is the wording of the appropriation or what?

President COLLINS—The Chair would state that No. 7 is on the calendar of this Council, and in the opinion of the Chair, if an order is sent in by the Mayor taking money from taxes subsequent to a loan order, it does act as a virtual withdrawal. However, to save any difficulty as far as the particular matter before the Council is concerned, and to clean up the docket, in order that there may be no question, the Chair believes it is advisable for the Council to act positively and permanently on No. 7.

Coun. SMITH—That is, in your opinion, it is set aside regardless of our action?

President COLLINS—That is the opinion of the Chair.

Coun. SMITH—Regardless of the wording of the loan order or appropriation—doesn't depend on the exact wording?

President COLLINS—The Mayor has a perfect right to send in two orders on the same proposition, and if there is no intention on the part of the Mayor to withdraw the first order, both may stand and the Council will have to act on them. The Clerk has not the particular order before him at present. The Clerk will get the same and read it.

The Clerk read the orders under both Nos. 5 and 7 on the calendar.

President COLLINS—The Chair rules that No. 7 has not been positively withdrawn; and, therefore, in order to be absolutely on the secure side, the Chair rules that the Council should act on No. 7.

No. 7 was rejected.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses for twenty-five newsboys, one bootblack and one vendor—recommending that permits be granted.

Reports severally accepted; permits granted on usual conditions.

HOT WATER APPARATUS, REGISTRY OF DEEDS.

The following was received:

City of Boston,
Office of the Mayor, October 30, 1911.

To the City Council:

At the meeting of your honorable body, held June 14, 1911, an order was passed appropriating the sum of one thousand two hundred and fifty dollars ($1,250) from the Reserve Fund for hot water apparatus in the Registry of Deeds. The suggestion was made at the time that an additional sum, amounting to four hundred dollars ($400), might be properly expended for similar apparatus in the Social Law Library. The accompanying letter from the librarian of the Social Law Library sets forth the need of this improvement, and I recommend the passage of the accompanying order transferring the sum of four hundred dollars ($400) from the appropriation for Reserve Fund to the appropriation for County of Suffolk County Buildings.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Social Law Library,
October 28, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—I have been talking this morning with your secretary, Mr. William A. Leahy, about two matters connected with the Social Law Library, and he has asked me to lay them formally before you.

First. The Commissioners for the Enlargement of the Court House thought fit to make no provision for hot water either in the registry or in the Social Law Library. The quarters with which they provided both institutions are admirable, with this exception. Mr. W. T. A. Fitzgerald and I are both ambitious that the institutions respectively under our charge should be the best of their kind and should reflect credit on the City of Boston. Owing to the dust which necessarily accumulates upon books, and particularly in the library, owing to the wretched character of the sheep that has been used in binding for many years, and that disintegrates rapidly after three or four years' use, it is impossible to conduct our institutions to the best advantage, or even satisfactorily, without hot water, as your Honor will readily perceive. Our employees and our patrons need constantly to wash their hands, and water at the winter's temperature is not only disagreeable but almost useless for this purpose. Moreover, the water with which the rooms and appliances are cleaned must be fetched from several stories below. During the spring Mr. Fitzgerald saw or wrote to your Honor about the situation and your Honor authorized the letting of a contract for the supply of hot

water to the registry. Mr. Fitzgerald, I think, mentioned the Social Law Library at the time, but prohably hecause the matter was not brought insistently to your Honor's attention no provision for hot water in the library was made. The installation of hot water in the registry is now going actively forward. I am informed that the lihrary can be connected with this system at an expense of $400 or less. The lihrary seems to stand in precisely the same situation toward the City of Boston as the registry, and its needs, owing to the hinding hefore mentioned, which has never heen used at the registry, are even grcater. I hope, then, that your Honor will feel authorized in directing that the library be connected with the work now going forward for the registry. I am told that in the estimate for the registry the cost of connection with the lihrary was put at $400 or less, and that the contract was finally let to someone who undertook to do the work at less than the estimated price.

Second. During the demolition of the Old Court House a plaster hust of Caleb Cushing was found in an unused room. It is now in Elston's shed on Court street in front of the building. The Social Law Lihrary formerly occupied quarters in the Old Court House, hut whether this hust ever helonged to the lihrary or not, I am totally unahle to say. The disposition of the hust, if no one can show ownership in it, seems to rest with your Honor. I think that the fitting place for it is in the library, and if your Honor should agree with me, we should like very much to receive it either as a gift or a loan.

If your Honor would like to talk to me ahout either of the foregoing matters, I am at any time entirely at your Honor's disposition.

Very respectfully,
EDWARD B. ADAMS,
Librarian.

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City of Boston,
In City Council, Octoher 30, 1911.

Ordered, That the sum of four hundred dollars ($400) be transferred from the appropriation for Reserve Fund to the appropriation for County of Suffolk, County Buildings, to he expended for hot water apparatus in the Social Law Library.

Referred to the Executive Committee.

COMMITTEE ON FINANCE.

Coun. KENNY, for the Finance Committee, submitted the following:

(1) Reports recommending that no further action is necessary on the following papers:

Report on order for loan of $45,000 for library in Charlestown (referred March 7, 1910).

Message and communication relative to cost of courthouse in East Boston (referred July 7, 1911).

Loan of $75,000 for municipal building in Ward 7 (referred May 31, 1911).

Message and communication relative to use of old East Boston High School for site of courthouse, East Boston (referred July 7).

Message of Mayor and order to transfer $25,000 from Reserve Fund to appropriation for Columhus Monument (referred Octoher 10, 1910).

Message of Mayor and report of committee of the United Improvement Association in regard to sanitaries and convenience stations (referred Septemher 19, 1910).

Message of Mayor relative to purchase of additional land for Hospital Department (referred Septemher 12, 1910).

Message of Mayor relative to rebuilding repair shop and other improvements in Fire Department (referred August 22, 1910).

Loan of $95,000 for widening of Union Park street (referred August 1, 1910).

Message of Mayor and transfer order of $18,000 for vault and furnishing, City Hall (referred January 2, 1911).

Message of Mayor and communication from Fire Commissioner relative to purchase of property at Alhany and Dover streets (referred November 28, 1910).

Message of Mayor relative to purchase from Rohert Treat Paine of land for City Hospital (referred July 18, 1910).

Order for $27,000 for land on Washington street for an Overlook park (referred July 6, 1910).

Message of Mayor relative to execution of court on account of Hyde Park avenue damages, amounting to $744.77 (referred June 27, 1910).

Order for loan of $60,000 for reconstruction of Curtis Hall (referred June 20, 1910).

Message of Mayor relative to appropriation of $10,000 for convenience station at Central Square park (referred June 13, 1910).

Message of Mayor and order transmitting list of improvements to he met hy loan (referred June 13, 1910).

Order for loan of $35,000 for park, North End (referred June 13, 1910).

Order for loan of $180,000 for inverted mantle gas lamps for street lighting (referred June 13, 1910).

Order for loan of $49,000 for park at Meeting House Hill (referred May 23, 1910).

Order requesting Finance Committee to report (referred Octoher 16, 1911).

Order requesting papers before Finance Committee to be returned to Council (referred October 16, 1911).

Message of Mayor and estimate of cost of widening Norfolk street (referred March 6, 1911).

Order providing $260,000 for widening of Norfolk street (referred Februaary 14, 1911).

Order providing loan of $100,000 for widening of Norfolk street (referred Februaary 13, 1911).

Message of Mayor relative to additional appropriation for reconstruction of Curtis Hall (referred June 13, 1910.)

Order transferring $40,000 from appropriation for Reserve Fund to Playground, Ward 19 (referred June 26, 1911).

Message and communication relative to cost of additional beach at L Street Bath (referred July 17, 1911).

Order providing loan of $300,000 for incinerator or destructor (referred March 7, 1911).

Message of Mayor and order to transfer $5,000 to appropriation for Strandway, Grading, etc., and $1,667.28 to Playground, Ward 13 (referred October 26, 1911).

Order providing $40,000 for laying out of Highland avenue (referred Novemher 14, 1910).

Order providing $60,000 for fireproofing hospital buildings (referred March 21, 1911).

Order appropriating $1,500 for new buildings at McKenzie Beach (referred April 4, 1911).

Order appropriating $14,000 for playground at Strandway (referred May 2, 1910).

Order appropriating $26,700 for construction of Old Colony avenue (referred May 2, 1910).

Petition of Metropolitan Improvement League, that an appropriation be made for the planting of trees on Commonwealth avenue, between Bcacon street and the Newton line (referred May 9, 1910).

Order appropriating $15,000 for improvements at Dewey Beach (referred May 16, 1910).

Order appropriating $50,000 for lihrary at North End (referred June 13, 1910).

Order requesting Finance Committee to report on matters hefore it (referred Octoher 16, 1911).

Order requesting Finance Committee to print as puhlic documents items before said committee (referred Octoher 16, 1911).

Order requesting recall of order for $297,800 from said committee (referred October 16, 1911).

Order asking additional time for Finance Committee to report in (referred Octoher 16, 1911).

Order granting one week additional time for Finance Committee to report in (referred October 16, 1911).

Report of Finance Commission relative to Meridian Street Bridge (referred May 31, 1911).

Petition for footbridge at or near Clifford street, West Roxbury (referred February 20, 1911).

Petition of South Boston Citizens Association relative to improvement of parks and playgrounds in South Boston (referred Februaary 7, 1910).

Order appropriating $15,000 for improvements at Dewey Beach, Charlestown (referred February 20, 1911).

Communication from the Mayor relative to playground at Roxhury Crossing (referred April 3; 1911)

Order appropriating $10,000 for locker huilding, at Playground, Ward 23 (referred April 10, 1911).

Order appropriating $85,000 for North End branch library (referred May 1, 1911).

Order appropriating $65,000 for courthouse in South Boston (referred May 1, 1911).

Reports severally accepted.

Coun. ATTRIDGE in the chair.

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(2) Reports recommending that the following papers he placed on file, viz.:

Petition for improvements of Playground, Ward 17 (referred June 26, 1911).

Report and recommendations of Finance Commission as to items in proposed loan bill (referred September 19, 1910).

Message of Mayor relative to report of Finance Commission on street lighting (referred July 22, 1910).

Message of Mayor and further communication from the Fire Commissioner relative to land on Albany street (referred January 30, 1911).

Communication on cost of construction of Marsh street, Ward 24 (referred February 6, 1911).

Report of Public Works Department on requests submitted at district meetings (referred May 31, 1911).

Message of Mayor in favor of additional appropriation of $40,000 for Playground, Ward 19 (referred September 18, 1911).

Papers relative to cost of municipal building, Ward 7 (referred September 11, 1911).

Message of Mayor relative to lighting apparatus in school halls (referred May 23, 1910).

Communication from Finance Commission in relation to investigation of Ward 13 Playground (referred April 11, 1910).

Petition of John A. Dodd and others for a playground and baseball diamond in Ward 16 (referred June 3, 1910).

Communication from Commissioners of Sinking Fund in regard to borrowing capacity of the city (referred February 20, 1911).

Message of Mayor relative to various general improvements (referred April 10, 1911).

Petition of Thomas Sherwin and others for playground in Jamaica Plain (referred April 3, 1911).

Message and communication giving list of loans required for parks and playgrounds (referred April 10, 1911).

Message of Mayor relative to purchase of playgrounds (referred April 24, 1911).

Loans recommended by departments and at district meetings (referred May 15, 1911).

Reports severally accepted, and papers placed on file.

(3) Reports recommending that the following ought not to pass, viz.:

Message recommending loan of $25,000 for change of grade of Providence street (referred September 18, 1911).

Message and order recommending loan of $35,000 for pier and fireboat quarters at Northern avenue (referred September 11, 1911).

Reports accepted.

(4) Reports recommending reference to the committees named, viz.:

Order appropriating $80,000 for courthouse and police station in Charlestown — that same be referred to the Superintendent of Public Buildings for report.

Order appropriating loan of $25,000 for branch library in Ward 25 (referred June 20, 1910)—that same be referred to the Committee on Branch Libraries.

Reports accepted.

(5) Reports recommending reference of the following to the Executive Committee, viz.:

Order transferring $50,000 to Playground, Ward 2 (referred June 26, 1911).

Order transferring balance of appropriation to Ward 7 Playground (referred June 26, 1911).

Message of Mayor relative to cost of subway at Bay street (referred December 12, 1910).

Order recommending establishment of municipal building in Ward 7 (referred March 13, 1911).

Message of Mayor relative to loan of $310,000 for lighting equipment and $75,000 for incinerator in Brighton (referred December 19, 1911).

Order appropriating $150,000 for playground in Ward 25 (referred August 1, 1910).

Communication from Forest Hills Citizens Improvement Association urging establishing of playground at Forest Hills (referred January 16, 1911).

Message and order transferring $3,000 to appropriation for Fremont Avenue Playground (referred June 26, 1911).

Order requesting transfer for Bay Street Tunnel (referred February 13, 1911).

Reports severally accepted, said reference ordered.

(6) Report on the message and order (referred October 16) to transfer appropriations for Branch Library, Charlestown, Estate, and Branch Library, Charlestown, Alterations and Completion, to an appropriation for Branch Library, Charlestown—that the same ought to pass.

The report was accepted and the order was passed, yeas 8, nays 1, Coun. SMITH voting nay.

Coun. SMITH—Mr. President, I would like to ask a reconsideration of that vote just taken. In that connection I would like to say this, that, talking with the Library Trustees I find that they have in mind two definite lots to purchase in Charlestown, that they have estimates of a building to be placed on one of those lots; that those estimates come to $75,000 for land and building; that, therefore, this $30,000 will not be an adequate amount. In other words, the $30,000 they have already and the $30,000 voted, will make only $60,000 for a $75,000 proposition. If this reconsideration goes through I would like to have an amendment made, so that it will read $45,000, instead of $30,000. As I have said before to the Council, when we are building a building we ought to do it right. When we have specifications before us we don't want to pass a partial appropriation. It is useless to pass an item of $30,000, because later on there will be a necessity of coming in and asking for $15,000. For that reason only I am against the $30,000 item.

Coun. BUCKLEY—Mr. President, listening to the councilor on the other side of the Chamber, I am reminded of that old saying, "Beware of the Greeks bearing gifts." (Laughter.) I want to thank him, because he wants to increase this appropriation, $15,000; but the old saying, also, is that "A bird in the hand is worth two in the bush." So we had better take what we have got, and I think when we get the $30,000 additional with the $30,000 we already have, and consolidate them, what is contemplated over there can be carried out. It seems to me the matter ought to be disposed of to-day, and I think the Library Trustees will be very well able to get along with a library in Charlestown for $60,000 and that the people of Charlestown will be satisfied with a $60,000 library if we can get it. I think we ought to settle this matter to-day. It has been hanging fire so long that Charlestown wants something done. They have not had proper library accommodations, and it is time that they had them. I would also refer to the fact that the matter has been hanging in the air so long that the courthouse and police station have also been kept back; and if we can have the library moved from the City Hall building on the square we will have our new courthouse and station house in Charlestown well taken care of. I hope, therefore, that nobody will pay any attention to what Coun. Smith has said.

Coun. KENNY—Mr. President, even if reconsideration prevailed it would not be in order to consider a matter of that character, that has been referred to here. This is a transfer and it must originate with the Mayor. Therefore, that motion could not be entertained.

Coun. SMITH—Mr. President, it was well knowing that fact that I asked reconsideration, simply to state to the Council the fact, as the Library Trustees have told it to me, that this building cannot be built for $60,000. We might just as well face it now as later. I don't want any opposition to the $15,000 that they will have to ask for later on. In the case of Curtis Hall we objected to passing appropriation after appropriation, because we said the original estimate did not amount to anything like what the total came to finally. In this case we are passing $30,000, and we ought to do it knowing and realizing that later on we will have to pass $15,000 more to complete the building. Nobody can be any more keen for a library building in Charlestown than I am. I have proven that fact by voting for the North End Library. I am firmly convinced of the fact that libraries are needed in this city perhaps more than any other one improvement, with the exception of streets, and I am firmly in favor of a library for Charlestown. But I don't believe in passing these partial appropriations, and waking up later on and having to appropriate more money. In this case we are only making a partial appropriation. Seventy-five thousand dollars is needed. Thirty thousand dollars was given some years ago and $30,000 is being given now. They must of necessity come in later and ask for $15,000 more. I think we might as well face the situation now.

Coun. CURLEY—Mr. President, I was going to ask Coun. Smith what medium he had consulted. He figures out that $15,000 more will be required two or three years from now.

Coun. HALE—Mr. President, I hope reconsideration will prevail. If I may do so, I would like to ask Coun. Kenny what he said in regard to the effect of reconsideration?

Coun. KENNY—Mr. President, I shall be glad to repeat. I said if the motion to reconsider prevailed, it would not then be in order to increase the appropriation in this Board.

Coun. HALE—I knew that, Mr. President. I hope very much that reconsideration will prevail, and I think we can then undoubtedly send down and get the Mayor to send up a new appropriation for $45,000, and have the whole thing passed to-day. I am perfectly willing, if we cannot do that, to come in and vote for $30,000 now, with the understanding that we shall ask for $15,000 later; but I haven't the slightest doubt that we can pass the $45,000 to-day. I shall be very much surprised if the councilor from Charlestown opposes an additional $15,000 for Charlestown Library, provided it is needed.

President COLLINS—For the benefit of the members of the Council the Clerk will again read the order.

The Clerk read the order.

Coun. McDONALD—Mr. President, I sincerely trust that reconsideration will not prevail. I don't know what the gentleman on my right (Coun. Smith) is talking about. He gets up here and tells us that he hopes reconsideration will prevail, and that if it does he will make a motion that $15,000 be added in order to give the Library Trustees an ample amount of money. The councilor at my extreme right (Coun. Kenny) says that is not possible. Then Coun. Smith gets up and tells us that he knew that when he made the motion, that he was aware of the fact, but he told us that if the motion prevailed he would move that $15,000 be added. I don't know what medium he is consulting, either. Coun. Buckley and I have talked with the chairman of the Library Trustees and the Library Trustees themselves. They tell us they want this $30,000, want it passed to-day, want to go ahead, that they haven't bought any land and don't know what piece of land they are going to buy. Certainly they didn't know a week ago Saturday. They didn't know where they were going, but had eight or ten sites in mind. They cost all the way, I think, from $15,000 to $40,000, the chairman told us, but he didn't know what they were going to do. Now, how can the councilor tell how much it is going to cost for land and building when the trustees themselves don't know anything about a site, don't know what the land is going to cost, and so on? I don't know whether the architect has his plans finished or not, but they haven't got the land. The architect certainly hasn't got the building ready to put on the land. We are tired of waiting, over in Charlestown. We have been waiting for eight or ten years to get a branch library over there. We have $30,000 for a number of years and now come in and ask for $30,000 more, because they say they are ready to go ahead and give us a library that we need over there with that amount. The gentleman said in committee the other day that he didn't think Charlestown should get a library. He said he thought East Boston should be taken care of and later on that Charlestown possibly should be taken care of. He said he thought there was a nice lot of books over there. He didn't think we should have a library. Now he says that no member of the Council can be more keen for a library in Charlestown than he is. He tries to tell us that there will be no difficulty in the matter, that if the motion to reconsider prevails he will move that the $15,000 be added,—and he tells us that when he made that motion he knew it couldn't be done. I hope reconsideration will not prevail. I hope that $60,000 will be given to Charlestown over there for a much needed improvement. We are satisfied with the $60,000.

Coun. SMITH—Mr. President, it might seem that we were in a spiritualistic meeting, there has been so much talk of mediums. As a matter of fact, this is a very simple matter. We are trying to get $45,000 for the Charlestown Library, and the gentlemen from Charlestown are trying to have the item passed at $30,000. It is a curious position for them to be in. Now, there is no mystery connected with the fact that $45,000 should be given. I talked with Colonel Benton this morning in regard to the position of the Library Trustees. He spoke of two lots they had in mind, but he did not care to make them public. He said they had a building planned for the land, and that the building with the land would cost $75,000. That is a fact, from the Library Trustees, and I say if we are going to give a library to Charlestown, as I hope we will, we should give the entire sum, not iving it piecemeal. I believe in giving $45,000 instead of $30,000, and I cannot understand why Councilors Buckley and McDonald are opposed to it.

President COLLINS—The Chair would say that the order calls for a transfer from one appropriation to another, and will rule any further debate on this out of order. The question is on Coun. Smith's motion to reconsider.

Coun. HALE—Mr. President, I would say that all the remarks I made were made under a misapprehension as to the nature of the order, and that I would like to have all those remarks transferred to the next possible order on the subject.

Reconsideration was refused.

(7) Report on the order (referred October 16), to transfer $30,000 from the appropriation for Reserve Fund to an appropriation for branch library, Charlestown—that the same ought to pass.

The question came on the acceptance of the report and passage of the order.

Coun. SMITH—Mr. President, I would like to have the matter laid on the table until after the Executive Committee has met. I shall try to see the Mayor in the meantime and try to get the transfer set down for $45,000 instead of $30,000.

The motion to lay on the table was declared lost. Coun. SMITH doubted the vote and asked for the yeas and nays.

The motion to lay on the table was lost, yeas 3, nays 4:

Yeas—Coun. Attridge, Hale, Smith—3.

Nays—Coun. Ballantyne, Buckley, Kenny, McDonald—4.

Coun. HALE—Mr. President, I move reconsideration of the vote just taken. I am sure there must be a misunderstanding somewhere, because it is simply a question, after this expert opinion from the Library Trustees, whether we shall appropriate $45,000 or $30,000 to-day. It is not in the least a question of delay. As I understand it any one who votes against this votes against giving Charlestown an adequate sum of money for its branch library. I, for one, am certainly in favor of giving Charlestown an adequate amount for its library.

Coun. BALLANTYNE—Mr. President, I voted "no" on the laying of this order on the table for the reason that I don't feel that any time would be gained by laying this order over. Charlestown has wanted a library for a number of years. We have come now to the time when they say that $60,000 is an ample sum to provide that library; and I say the sooner they get that amount the better.

Coun. SMITH—Mr. President, may I ask Coun. Ballantyne by what authority he makes that statement, that $60,000 is adequate for a library in Charlestown?

Coun. BALLANTYNE—Mr. President, I will say that $60,000 is adequate to build a $60,000 library, and I will say that that is all that Charlestown has asked for. There is nothing to be gained even if the councilor on my right wishes to erect a $75,000 library. There is nothing to be gained by delaying this order. I say, give the people of Charlestown $60,000. When the plans are prepared if they want $15,000 more it is just as easy for them to come in and ask for the $15,000 as to try to take action that the councilor is trying to have taken here to-day. It would have to have two readings, just the same as at present. If we should reject or amend this order, the new order would require two readings just the same. If I could see anything to be gained, or that Charlestown was to get any advantage by delaying this order, I would favor the delay; but I believe this order should go through as it is to-day. Then if an additional amount is needed it can be obtained.

Coun. KENNY—Mr. President, we seem to have reached that stage in the deliberations of this Council where a member expressed surprise that other members should refrain from increasing an appropriation. I think it is a pretty sad commentary on our method of doing business when one member rises and says he cannot understand why other members refuse to increase an appropriation. They are going away beyond any argument or theory I have heard advanced in the effort to spend money when they say they cannot understand and are surprised that members should refuse to increase an appropriation. I think we ought to cut this short. Sufficient unto the day is the evil thereof. When the time comes to raise more money the proposition will come from the Mayor.

Coun. HALE—Mr. President, I suppose I was the member of the Council to whom the member

from South Boston referred, because I did express surprise that any member of the Council, having heard from the head of a department after a careful investigation that a particular building would cost $75,000, and the Council of Boston having decided that such a building should be built—I did express surprise that any member of the Council would under such circumstances vote an appropriation for that building which, according to the expert, uncontroverted opinion, will be $15,000 too little to complete the building. I would like to say that I repeat that expression of surprise.

Coun. KENNY—Mr. President, that puts the gentleman from Ward 11 (Coun. Hale) in the same boat with his colleague, because as a matter of fact I was referring to what his colleague said. Now he comes forward and places himself in the same boat.

Coun. BUCKLEY—Mr. President, I am rather sorry that Coun. Hale and Smith have brought forward the argument in just the way they have, to-day. It makes it look as though Coun. McDonald and myself are voting against $15,000 extra for Charlestown, when as a matter of fact we are not. We want the library over there and want it just as quickly as we can get it. By appropriating this $30,000 to-day we can at least have the satisfaction of knowing that the work will go right ahead and knowing that we will have our library over there in a reasonable time, even though the councilor opposite says he is ready to vote $15,000 more for Charlestown. I, for one, wouldn't feel sure of his vote until after he had voted. I hope the Council will vote to pass this order to-day, without further delay. We want the library over there, and we want it as soon as we can get it.

Coun. SMITH—Mr. President, I am extremely sorry that one of my brother councilors expresses any doubt as to my truthfulness when I make a statement that I am sincerely in favor of an order and will vote for it. It seems to me that is a severe charge to make in open Council. I don't ask for an apology. It seems to me he should of his own accord apologize, however. I have stated that I would gladly vote $45,000 for a Charlestown library and he has virtually said that he did not believe me. I repeat that I will vote $45,000 for the Charlestown Library. I want to do it now. He evidently wants to vote for only $30,000. I am voting on the advice of the chairman of the library trustees who says that $75,000 is necessary. I am talking here in perfect sincerity. I am trying to get $45,000 for the Charlestown Library instead of $30,000, and a councilor serving with me here in this Board expresses a belief that I am untruthful in my statement. I sincerely hope he will show his interest in Charlestown by voting, like myself, to try to get $45,000, the necessary amount according to the trustees, and not to get a smaller amount than is necessary for the building and the lot.

Coun. HALE—Mr. President, in order to prove that my colleague and I are not insincere in this matter, I, for one, am perfectly willing to vote for the $30,000 for this library on the express understanding that we and the other members of the Council will go down to the Mayor's office this afternoon, as soon as we adjourn, and attempt to get the balance necessary. As far as technique and looks are concerned, it seems to me the best way to act is to defer action on the whole matter at the present time and go down to the Mayor's office in regard to it and try to have him submit a new order covering the whole amount necessary, $45,000. But if the other members cannot see that, I am willing to sacrifice my feeling, in regard to the proper technique, in order to get the substance of the matter, getting the $30,000, if they will agree to go down with me to the Mayor's office and try to get the $15,000 additional. I don't know whether the members are aware that there is a law on the statute books prohibiting starting in on a building, creating a debt, unless there is a sufficient amount for the building. My brother from South Boston has said that when the time comes we can provide the extra money. But if what Coun. Smith says is true—and I have no reason to doubt that it is true, as he obtained the information from Colonel Benton of the trustees—if that building is to cost with the land $75,000, under the law the building cannot be begun if we give them only $60,000. So, as far as delay is concerned, there will be no more delay if we now take action to get the $45,000 than if we passed the $30,000 and tried to get the $15,000 later. It seems to me as far as strategy is concerned, that if we try to get the $45,000 from the Mayor now we will be in a better position than if we pass the $30,000 and then later on try to get $15,000 more. As I say, however, I am willing to vote for the $30,000 on that understanding.

Coun. CURLEY—Mr. President, if Coun. Smith or Hale believe that there should be $15,000 additional for the Charlestown Library they will have an opportunity to vote for it at a later meeting if it is necessary. All that Coun. Buckley and McDonald wish to do now is to have this order for the $30,000 passed. Then afterwards, if the councilors are sincere, and if $45,000 is needed, they will have a chance to vote for the additional amount.

The motion to reconsider the vote laying on the table was lost, yeas 3, nays 6:

Yeas—Coun. Attridge, Hale, Smith—3.

Nays—Coun. Ballantyne, Buckley, Collins, Curley, Kenny, McDonald—6.

The report was accepted and the order passed, yeas 9, nays 0; and the order will take its second reading and passage not less than fourteen days from to-day.

(8) Report on the message of Mayor and order appropriating $150,000 for the widening of Norfolk street, Dorchester (referred October 2), recommending the passage of the order, although it is the opinion of the members of the City Council that the money should be taken from the Reserve Fund.

The question came on the acceptance of the report and passage of the order.

Coun. COLLINS—Mr. President, upon this improvement that the Council is about to act upon there has been much talk and discussion since I have been in the city government, and I understand for many years before. About a month ago, to be accurate, on September 11, I introduced an order that his Honor the Mayor be requested to consider the advisability of at once recommending to the City Council an order for the transfer of $150,000 from the Reserve Fund to an appropriation for the widening of Norfolk street, Dorchester. At that time the Reserve Fund was much larger than it is at present. If the present appropriations are passed, together with the $300,000 for the hospital, there will be absolutely no money left in the Reserve Fund. But, Mr. President, if I had an idea, any inkling of an idea, that the Mayor would send an order to the City Council transferring this money from the Reserve Fund I should not even at this time be in favor of this proposition. After this order was introduced in the City Council and passed unanimously, it was sent to his Honor the Mayor and he, in return, sent in an order providing the money by loan. A short time ago I called on the Mayor and asked him to send in an order transferring the sum of $150,000 from the Reserve Fund, in addition to the order which was already before him at the time. He declined at that time to do it, but said he would take it under consideration. Subsequently orders came in, one for Union Park street, one of $25,000 for Providence street, and I submit that a precedent had been established. As the members of this Council well know, within one week I asked the Mayor again to send to the City Council an order transferring this money, and he refused absolutely to do so. So this is the situation. Norfolk street, unless the money is borrowed, will have to go by the board as things look for the next year. It does not seem to me that there will be much money in the Reserve Fund for this meritorious improvement. Subsequently, by a process of elimination, the question came whether or not Norfolk street should be done, and if it should be done, how it should be done, it being within the exclusive jurisdiction of the Mayor to send in an order transferring money from the Reserve Fund — since that is an appropriation and must originate with him, and all that the Council can do is to request that it be done. It is within the exclusive jurisdiction of the Mayor to send in an order transferring money from the Reserve Fund. Since that is an appropriation and must originate with him, all the Council can do is to request that it be done. That it has done, but we were unable to procure from his Honor a message making such a transfer. About six weeks ago I voted against a loan order for a library in the North End, the place where I was born. I voted against it much to my sorrow, because I thought my position would be misunderstood. But I declined to vote for it because I believed that the Mayor was about to send in an order transferring the necessary amount from the Reserve Fund. However, my action went for nothing in that respect, as my associates saw their way clear

to passing the loan order. But that is not the main reason why I have taken the floor this afternoon. It is due to the fact that there has been some question raised as to the position of the members of thc City Council and as to the advisability of this improvement. I want to say that when I came to the city government I conferred with the then Superintendent of Streets, Mr. Emerson, who agreed with me that this was the most important suburban thoroughfare that needed widcning. Deputy Superintendent Sullivan also agreed with him. All the authorities who bave gone into the question have agreed with bim. Tbe City Council which preceded this by two years — that of the last year of Mayor Hibbard's administration, and since there are four members of tbe City Council who were here then they can voucb for the truth of my remarks— came within one vote of passing over Mayor Hibbard's veto an order to widen that specific street. Every person wbo lives in that community bas had this on his mind for a great many years. But, unlike certain other parts of the city, there are not a great many improvement societies there, and the people who own their little homes have not come forward and pestered the members of tbe City Council week in and week out. But the improvement is a most meritorious one and has been needed for many years. The longer work is delayed the more it will cost; and I submit that anyone, whether it be the Mayor of Boston or anyone else, who says this improvement is not pressing and should not be done, is not talking in conformity with the facts. As a member living in that particular section of the city and baving its interests at bcart, in common with my associates, I wish to tbank tbem for their good judgment last week at the meeting of the Committee on Finance in voting unanimously to recommend this meritorious and long needed public improvement. I wisb my position thoroughly understood. It is very clear from wbat I have said that tbere is no hope of obtaining this improvement this year, and I fear for some time to come, under circumstances as tbey have developed, except by borrowing. In other words, circumstances compel borrowing or delaying this much merited and long sought for public improvement. Accordingly, I cbeerfully champion this order and trust that it will be speedily passed.

Coun. SMITH—Mr. President, as a member of the Committee on Finance I voted to concur with them in asking $150,000 by loan for the widening of Norfolk street. I did not agree, however, with the report of the Finance Committee to the effect that they regretted not being able to take this amount from the Reserve Fund. I distinctly disagree with them on that point. I believe that any permanent improvement, such as the widening of a street by obtaining additional land on eitber side, is a fit subject for a loan. That is a general proposition that will stand, no matter what the improvement may be, so long as it is a permanent improvement. The reason for that I will not burden the Council with, because I intend to ask the Finance Commission to invcstigate that subject and report to this body. But in this present case tbere is one additional reason. I believe it is wise to take it from loan because we have to-day the ability to borrow about $900,000. We have in the Reserve Fund about $725,000. We have pending before this Council in various committees matters which would take up more than $763,000. I have taken only the main items, and I shall be glad to read tbem. There are pending before this Council the following matters which would more than exhaust the Reserve Fund: $50,000 for East Boston, $90,000 for Ward 7 Municipal Building, $48,000 for the "Vigilant," $25,000 for fire station, Parker Hill; $25,000 for Ward 23 Playground, $15,000 for Ward 25 Playground, $50,000 for Ward 2 Playground, $30,000 for Charlestown Library, $300,000 for tbe City Hospital and $130,000 for the Consumptives' Hospital. That leaves out of consideration an indefinite amount which is necessary for pensions this very year and it also leaves out entirely the money which we must reserve against the contingency of paying the Cove Street Bridge damages. Therefore it seems a conservative statement to make that the Reserve Fund would be more than eaten up by the matters now pending before this Council. Probably doublc the amount of the Reserve Fund would be necessary to meet anything like the matters before this Council. It seems good business to me, therefore, to take this sum necessary for the widening of Norfolk street from a loan. That is entirely apart from my general judgment that loans are a proper way of financing permanent improvements. I am very glad to support this measure, as I believe it is needed for Dorchester. I believe it is more needed than most improvements now pending before the City Council.

Coun. HALE—Mr. President, I would say that I agree with Coun. Smith that it is proper to take the money for permanent improvements like this from loans, and that I dissent very heartily from the expression of the committee on the end of their action upon this order. I think it is a matter of congratulation to the city that the majority of its Council has learned economic and financial wisdom through local pressure for permanent improvements. This opinion placed at the end of the action upon the order, to act as a life preserver, will not be taken seriously by anyone. By their deeds shall ye know them.

Coun. CURLEY—Mr. President, I will state that I shall be very glad to see this order go through. I believe that Alderman and Councilor Brand of Dorchester was the first man to advocate this proposition and be advocated it for four or five years. Everybody recognizes the fact that it is a necessary, needed improvement. The only thing I cannot understand is why certain members, in fact almost a majority, seem to think it necessary to stand up and square themselves or to send in an opinion attached to their action on the order, squaring themselves for a vote that is properly taken. I cannot quite understand that. If a man argues and votes upon a proposition as he believes right, he should not have to stand up to square himself, because it is a loan or because of some other reason. I don't think that is necessary; I think it is childish.

The order took its first reading and passage, yeas 9, nays 0, and will come up for second reading and passage not less than two weeks from to-day.

President COLLINS in the chair.

(9) Report on the order (referred from last year) appropriating $25,000 for the construction and site for engine house at Parker Hill, Ward 19, said amount to be raised by loan—recommending reference to the Fire Commission for report.

Report accepted; said reference ordered.

CHAPTER 47 OF REVISED ORDINANCES.

Coun. McDONALD, for the Committee on Ordinances, submitted a report on the message of the Mayor recommending the passage of an ordinance to amend chapter 47 of the Revised Ordinances of 1898 (referred October 9), recommending the rejection of the ordinance as submitted by tbe Mayor and the passage of tbc accompanying new draft of an ordinance:

City of Boston.

In the Year Nineteen Hundred and Eleven.

An Ordinance amending chapter 47 of the Revised Ordinances of 1898, and chapters 5 and 6 of the Revised Regulations of 1898.

Be it ordained by the City Council of Boston, as follows:

Section 1. Sections 30, 33, 35, 36, 37, 44, 46, 53, 55, 57, 60, 88 and 104 of chapter 47 of the Revised Ordinances of 1898 are hereby amended by striking out the words "Superintendent of Streets" wherever the same occurs in said sections, and inserting in place thereof thc words "Commissioner of Public Works."

Section 2. Sections 69, 70, 71 as amended by cbapter 13 of the Ordinances of 1908, 72 and 73 of chaptcr 47 of the Revised Ordinances of 1898, are hereby amended by striking out the words "Water Commissioner" wherever the same occur in said sections, and inserting in place thereof the words "Commissioner of Public Works."

Section 3. Sections 40, 56 and 89 of chapter 47 of the Revised Ordinances of 1898 are hereby amended by striking out the words "Board of Aldermen" wherever the same occur in said sections, and inserting in place thereof the words "Board of Street Commissioners."

Section 4. Section 18 of chapter 47 of thc Revised Ordinances of 898 as amended by chapter 5 of the Ordinances of 1901, chapter 7 of the Ordinances of 1906, and chapter 14 of the Ordinances of 1909, is hereby further amended by striking out the words "Superintendent of the Sanitary Department" and inserting in place thereof the words "Commissioner of Public Works."

Section 5. Chapter 5 of the Revised Regulations of 1898, as amended by chapter 2 of the Regu-

lations of 1903, is hereby further amended by striking out the words "Superintendent of Streets" and "Superintendent" wherever the said words occur in the several sections of said chapter, and inserting in place thereof the words "Commissioner of Public Works" and "Commissioner" respectively; and by striking out the words "Board of Aldermen" wherever the same occur in the several sections of said chapter, and inserting in place thereof the words "Board of Street Commissioners."

Section 6. Sections 25, 26, 27, 31 and 33 of chapter 6 of the Revised Regulations of 1898 are hereby amended by striking out the words "Superintendent of Streets" wherever the same occur in said sections, and inserting in place thereof the words "Commissioner of Public Works."

Section 7. Section 28 of chapter 6 of the Revised Regulations of 1898 is hereby amended by striking out the words "Board of Aldermen," and inserting in place thereof the words "Board of Street Commissioners"; and by striking out the words "Superintendent of Lamps" and inserting in place thereof the words "Commissioner of Public Works."

Section 8. Chapter 3 of the Ordinances of 1902 is hereby amended by striking out the words "Board of Aldermen" and inserting in place thereof the words "Board of Street Commissioners."

Report accepted; ordinance passed.

RETIREMENT FUND FOR LABORERS.

On motion of Coun. CURLEY the Council took up past assignment, viz.:

9. Ordered, That chapter 413 of the Acts of the Massachusetts Legislature for 1911, entitled "An Act Relative to a Retirement Fund for Laborers Employed by the City of Boston," be and hereby is accepted by the City Council of Boston.

Coun. HALE moved reference to the Executive Committee.

Coun. CURLEY—Mr. President, with relation to reference to the Executive Committee, I suppose every member of this City Council received a report from the Finance Commission with respect to this particular proposition the early part of last week. Certainly I did and I assume that every other member of the City Council did. But if any member failed to receive it, the essential points in their report appeared in the public press, so that every member of the Council had an opportunity to determine for himself whether or not their position in this matter was a sound one. Now, then, what is to be gained by delay? It is true that the report of the Finance Commission as submitted was referred to the Executive Committee, but the fact remains that the recommendations of the Finance Commission upon this proposition are absolutely without any ring of sincerity. The Finance Commission, that has expressed itself publicly on every question, can convince no man that there is any sincerity in its position when it states that it believes a period of fifteen years is a sufficient length of time for a man to be in the employ of the city to entitle him to a pension. There is no ring of sincerity to their proposition that the bill as drawn is not sufficiently broad and that it should include mechanics, because it has been the opinion of the Finance Commission upon numerous occasions that men employed as mechanics in the city's service were paid a higher scale of wage than the city in justice to itself should pay those men. Further they recommend a contributory pension. Personally I would say that if men in the departments of the city where pensions are enjoyed at the present time were receiving the benefits of the pension and it were a contributory pension, there might be some justice in their contention, provided the men in the employ of the city received a higher scale of wages than they receive at the present time. Everyone recognizes, with the increase in the cost of living in the last ten years, that even though the men in the employ of the city were receiving $3.25 instead of $2.25 a day it would be an impossibility for any of those men, the majority of whom are married and have families, to set aside any amount of money that would serve as a protection when they arrived at the ages set forth in this pension bill, sixty or seventy years, seventy years being the compulsory period; and to ask that city laborers, come under a contributory act to the extent of having a certain sum set aside from their wages each week, to which the city would add a like or greater amount, is an unfair proposition. It is an impossibility for the average man to-day, even without a family, to live with any degree of comfort on $2.25 a day. Certainly I have no reason to believe that any member of the Finance Commission would find it possible to get along on that amount. Now, if there is any merit in the various recommendations suggested in the nature of amendments by the Finance Commission, the bill as drawn will permit of consideration of those amendments by the Legislature, provided they are sufficiently meritorious to warrant the Legislature in taking hasty action upon them. The bill as drawn does not become operative until March of the year following its acceptance. The Legislature assembles on the first or second day in January, the last day for filing bills is usually about the 25th or 30th of January, and committees can consider, report and act upon those bills in the Legislature during the month of February, or before the Pension Act becomes operative according to the provisions of this bill. In consideration of those phases of the question and in consideration of the additional proposition that a pension for city laborers was recommended some years ago by the Finance Commission, some members of the present commission at that time serving on the old commission, it seems to me action should be taken at once. I believe section 1 of the report of the Finance Commission set forth this matter somewhat in detail and says that the most serious proposition the city has to contend with is the superannuated employees who have grown old in the city's service. According to the compilation of the Finance Commission but 177 men would benefit by the passage of this act during the first year, and in each succeeding year—and they have figured for about three years—the number would not be in excess of eighty. I feel, all things considered, regardless of the lobbying that my friend on the right is doing among the members of the City Council here for reference to the Executive Committee, the matter should be acted upon here to-day. I have here, as I assume each other member of the Council has, a request from the Joint Council of City Employees' Union that immediate acceptance of this proposition by the City Council be had. I do not feel that anything can be gained by delay. The matter has not come up for consideration at any time during this year but what delay has been obtained, assignments have been made and every method that men could employ to avoid taking a stand on the proposition has been used. I assume that the same may be true of consideration of the proposition to-day. It is just possible that some member of this City Council may have something to say in favor of reference to the Executive Committee and, in order that they may be afforded an opportunity to do so while I am looking up some facts in connection with the proposition, I shall cease talking.

Coun. KENNY—Mr. President, I am going to vote in favor of referring this to the Executive Committee. I will not yield to any member of this Council in my desire to see that proper legislation is passed for the purpose of creating a pension act for the laboring man. I desire it understood and I have said so heretofore, that I am heartily in favor of a proper pension system. But I am not going to be diverted because of any suggestions here that political expediency demands that we must act. I am not going to be diverted from doing what I think is proper even under those circumstances. I think any member of this Council who will take the report of the Finance Commission which has been submitted to this Board to-day can reach but one conclusion, and that is that this act as it is at present drawn is not in such form that it should become a permanent law. The Finance Commission in the concluding lines of its report lays down certain suggestions which should be incorporated into a pension act. They are as follows:

First. "The service period should be fifteen years."

Now, Mr. President, it appears from the report itself—and if my friend had read the report more carefully perhaps he would have seen the reason for the suggestion—that a great many of the present force have entered the service of the city, although men of advanced age, within recent years. So that in their case this act never can become operative. When they have served twenty-five years in the city laboring department they will have gone way over the age of seventy

years according to this report, and that is a very fair and logical reason why tbe act should be modified so as to take in those who have been employed fifteen years. For instance, you take the case of a man who has been appointed when he was fifty-five years of age. He could never have enjoyed this pension under the terms of tbe act, because when he reached seventy years he would not have been in the city force twenty-five years. He would have to continue until he bad reached the age of eigbty years, wbicb of course in itself is absurd. That is No. 1. No. 2:

"Mechanics in the labor force should be included as well as laborers."

Now I agree witb tbat proposition. Mr. President, it seems to me mechanics should be included. They are men who work by the sweat of their brows. They are men who work without receiving a more than a living wage. And tbey should be considered, just as mucb as the otbers who are indicated by the word "laborer" in tbe matter of a pension. No. 3:

"Tests of capacity should be made of employees between sixty and seventy years of age by the city physician upon tbe request of the heads of departments."

Why isn't tbat so, Mr. President? Why sbouldn't any person presenting himself for the benefits of this act be examined by a physician in order that it might be ascertained by a professional man just what bis pbysical condition migbt be found to be just at that time? No. 4:

"Employees who reach seventy years of age sbould be retired witbout proof of incapacity on the filing of certificates of retirement with tbe city auditor by tbe beads of departments."

That is, to my mind, Mr. President, not so important, because that is an amendment that might be very well introduced at some subsequent time, so that the act, as far as No. 4 goes, I do not tbink should be rejected and our acceptance should not be postponed on tbat account. No. 5:

"There should be safeguards against tbe re-entry into city employ of those actually out of the service who desire to retire in a few days or weeks with a pension."

Now I beartily concur in that proposition, Mr. President. Tbe pension roll should be a roll of bonor, and the door should not be opened to those wbo are not now in the service of tbe city to re-enter and perpetrate a fraud upon tbe treasury of the city. I believe sincerely that it is very essential that in that respect the act should be amended. No. 6:

"Heads of departments who intend to fill vacancies caused by retirement sbould be required to file a statement under oath with tbe City Auditor, stating the reasons for filling such vacancies."

I think, Mr. President, that while that is very important, that in itself would not be sufficient to postpone the acceptance of the act, althougb it is a matter of importance and should be incorporated into an amendment of this act. No. 8:

"The City Auditor should keep a record, open to public inspection, which would contain the essential facts in regard to retirements and tbe filling of vacancies caused tbereby; and he should publish an annual report sbowing the effects of the retirement system upon the expenditures and tbe efficiency of the various departments."

That is a matter also, Mr. President, that might very well be amended at a later time, but is not sufficient ground to postpone our action in my opinion. No. 9:

"There sbould be no Board of Retirement or Employees' Association; the City Treasurer should be able to administer the financial part of tbe system; and the heads of departments, aided by the city physician, should be able to administer the other part of the system."

I do not think, Mr. President, that is a matter, eitber, which should prevent the acceptance at this time, but still, I think it is one that should be very fully considered in the draft of a new act or amendment of this legislation. No. 10:

"There sbould be provision for contribution by the employees."

Mr. President, it seems to me that that should be very fully considered before it is determined to enforce a contribution from the employees. I would not let that in itself stand in the way of my voting to accept this act to-day. If I were to decide the matter now I would say tbat I would not favor a contribution from the employees. No. 11:

"There should be a provision requiring the physical examination of laborers and mechanics who hereafter seek employment in the city's service, and prohibiting the employment of those who are physically unfit."

That I heartily concur in, Mr. President. That is good business policy. That would apply to any successful business, be it the City of Boston or any private corporation. No. 12.

"The act should become effective only upon its acceptance by tbe Mayor and City Council."

That, of course, is true. I think, Mr. President, taking everything as a whole, it is much better for the laborers to have tbis act amended than it is for us to accept it at the present time and permit its operation without these other additional safeguards that should be thrown around it. I want to say I am heartily in favor of a pension for laboring men. I am not in favor of a pension for people occupying higher positions who are receiving salaries whicb correspond with and perhaps are superior to positions in other grades and walks of life. I think those men owe it to themselves to provide by their own thrift for their own future. But as far as the laboring men are concerned I am sincerely in earnest when I say there should be a pension for them. My action here should not be accepted as in opposition to the act itself. I am heartily in favor of tbe act, but I think it would be much better to refer it to the committee, get action on it in January and have it in operation in March.

Coun. CURLEY—I am very much pleased to find that Coun. Kenny takes the same view I do. He says, let us consider this and let it go into operation in March. That is wbat will happen if you accept it. For the benefit of Coun. Kenny I desire to state tbat section 11, whicb be feels is a very excellent section, is already in operation. That is part of tbe civil service law, that no man can be employed by the City of Boston as a laborer or mechanic without passing physical tests and undergoing a doctor's examination. That was adopted about six months ago. It is just possible the Finance Commission have not awakened to that fact yet. But it is true nevertheless, so that it would affect men who have come into tbe city's service afterwards. I haven't any desire to take up the time of the members of tbe Council with a general discussion of tbis proposition because I feel there should not be any discussion. I feel tbe Council should be unanimous in favor of the proposition as it is, because they have the power to amend the law any time they see fit if there are any amendments that in their opinion are just, and sbould be adopted. Now—"The service period should be fifteen years." On that proposition, Mr. President, if you adopt any fifteen-year clause in tbis case you will establish a precedent that is going to cost the city hundreds of thousands of dollars, because at tbe present time in the Police Department it is a twenty-five year period and in the Fire Department it is a like period. You establish a fifteen-year period and you establish a precedent that is going to be a tremendous expense in the future to the city, and will be difficult to overcome in the Legislature. I want to say in regard to No. 1 tbat my honest opinion is that the Finance Commission have simply put No. 1 in there as a subterfuge and that they don't believe themselves what they say—and no one else believes it. There isn't a single corporation in this country to-day having a retirement pension system that has a fifteen-year basis. The Pennsylvania Railroad is on a thirty-year basis. So is the Boston Elevated. And so it is with all the large corporations that have a retirement pension system. If a man enters the corporation at twenty-one he is retired, under tbis proposition, at thirty-six, at the prime of bis life wben he can do tbe best of his work. There is no sincerity in that, and I believe the members on tbe other side will agree that there is no sincerity in it and that it only amounts to a subterfuge.

Coun. KENNY—Mr. President——

President COLLINS—Will the gentleman yield?

Coun. CURLEY—Certainly.

Coun. KENNY—I understand the law to be in no event could an applicant for a pension receive favorable consideration unless he was sixty years of age.

Coun. CURLEY—I am talking about tbe recommendations of tbe Finance Commission in this proposition tbat the service period should be fifteen years, so that if somebody had a pull and had someone get on the list at the age of fifty-five years or forty-five years tbey would have him

retired when he arrives at the age of sixty years. It is the most absurd recommendation, among many absurd recommendations, that has ever been made by the Finance Commission. Section 2:

"Mechanics in the laboring force should be included as well as laborers." Now they point out here in their report that the total number who would benefit in consequence of this proposition during the first year is a very small number—177. In the succeeding years, if the mechanics were included, the retirement fund would amount to about three times what it would amount to if only the laborers were to benefit—and certainly the laborers should benefit. Under the Hibbard administration there were a great many laborers who were compelled to go to Long Island and Tewksbury and die there, men who had given the best years of their lives to the city and who were thrown out on the streets.

"Tests of capacity should be made of employees between sixty and seventy years of age by the city physician upon the request of the heads of departments."

Now it goes on in the next section and says: "Employees who reach seventy years of age should be retired without proof of incapacity on the filing of certificates of retirement with the City Auditor by the heads of departments."

Which is exactly in line with the original bill which provides for compulsory retirement at the age of seventy years. Now as regards the tests between sixty and seventy years of age, I have one of the reports of the Finance Commission for 1908:

"The Problem of Superannuated Labor. The old age problem is very serious and difficult to deal with. There are many men who have worked faithfully for the city who can no longer do their work and yet are allowed to continue in the service at full pay. Legally the city is not permitted to grant pensions. Under no system is the pensioner ever paid more than a part of his former pay, but the superannuated city employees are practically permanent pensioners at full wages. Men who are wholly incompetent should not be continued on the pay roll. Those who can still render some service should be placed in the less responsible positions. The city is under no obligation to support those who render no service. If old age pensions are to be given, they should be granted under a carefully considered pension system, established by law, and not by subterfuge and favoritism."

Now, then, Mr. President, that is just exactly what this pension bill provides. It provides that when a man retires at sixty years of age, if he so elects, if he desires to be retired, he makes application for retirement, provided he has been twenty-five years in the employ of the city. He makes the application to the Retirement Board; the Retirement Board consider the case and then grant the retirement. He has that right if he has served twenty-five years. But when he arrives at the age of seventy years he forfeits that right and is compulsorily retired. Now then, Mr. President, take it in any working gang that you will find on any building or construction force in any section of the city, state or country, and you will find that a few old men who have passed the age where they can do a full day's work are really a menace to the organization of the working force,— that the other men govern their action and their day's work by the work that these men themselves do, and it tends to destroy the force of a working organization. It has a tendency to make those men who might do a full day's work do an extremely poor day's work, and the injury that results to the city in consequence cannot be measured except in dollars. Now, then, Section 5:

"There should be safeguards against the re-entry into city employ of those actually out of the service who desire to retire in a few days or weeks with a pension."

Now, Mr. President, the act provides that those who have worked twenty-five years, when they arrive at a certain age shall be retired—those who have arrived at the age of sixty if they so elect, and those who have arrived at the age of seventy, compulsorily. The civil service rule now provides that any man who is absent from service three days without sufficient cause shall be discharged, and that any man who fails to report for six months is discharged from the service. There are somewhere near 1,500 men on the laborers' list in the civil service, and a man, even though he has been employed previously by the city, cannot secure reinstatement, because the veterans have first preference; then those who have been previously employed in the department, and then the others, not according to their dependence, as was the rule in the past, but according to their filing of applications for re-employment in the service. Now every head of a department who has made requisition in the past four years has specifically stated, in the cases of laborers and teamsters, that he wanted men under forty years of age. They want the young and rugged men. How can an old man defeat this particular provision, as is suggested by section 5? Section 6:

"Heads of departments who intend to fill vacancies caused by retirement should be required to file a statement under oath with the City Auditor, stating the reasons for filling such vacancies."

Now, then, Mr. President, it is explicit on this point and saves a man from perjury, and saves the heads of the departments from considerable lying. A man arrives at sixty years of age and has worked twenty-five years. He desires to retire. He simply says so. When he arrives at seventy years of age he is compulsorily retired and doesn't have to lie or take any false oath. Section 7:

"Certificates of incapacity of employees between sixty and seventy years old."

And by the way, Mr. Chairman, if anybody ever looked over any of these typewritten reports that are sent out by the Finance Commission they would be satisfied there was more incapacity among the typewriters up there than in any other department in the history of this or any other department. It is impossible for them to typewrite one page and have it correct. Not only are the words misspelled but the punctuation is rotten.

"Certificates of incapacity of employees between sixty and seventy years old" — it should be "between sixty and seventy years of age"—"should be filed by the city physician with the auditor before retirements become effective."

Now, then, Mr. President, why should there be a certificate of incapacity if in section 1 of the Finance Commission's reports these old men, the superannuated employees, are a serious problem to deal with? And then go on and recommend the fifteen-year period. If a man has worked twenty-five years for the city as a laborer and arrives at the age of between sixty and seventy, everybody knows it isn't necessary for a medical examination to be made, and the report of the commission themselves bears that out. The report shows that the number seventy years old or over and not over twenty years in the service is only nineteen. My friend Coun. Kenny lays great stress upon the number of men who would suffer by the adoption of a twenty-five year period. There would only be nineteen who would suffer. The number between sixty-five and seventy-five and not over fifteen years in the service is only sixteen. So that the total is only thirty-five. And there would be only thirty-five who would suffer. They would not suffer because they would be retired. Section 8:

"The City Auditor should keep a record, open to public inspection, which would contain the essential facts in regard to retirements and the filling of vacancies caused thereby; and he should publish an annual report showing the effects of the retirement system upon the expenditures and the efficiency of the various departments."

Now, Mr. President, the *City Record*, which somebody publishes and nobody reads, contains all those facts. The name of every man who is appointed to a situation in the city service appears in the *City Record*. Every person who would be retired under the provisions of this act, his name would appear in the *City Record*. As regards the question of investigating the efficiency of these records in the department in consequence of the adoption of this act, that is the duty of the Finance Commission. That is what they are appointed for, to do some work that would be beneficial to the city, even though they don't do it. Section 9 provides:

"There should be no Board of Retirement or Employees' Association; the City Treasurer should be able to administer the financial part of the system, and the heads of departments, aided by the city physician, should be able to administer the other part of the system.".

Now, Mr. President, why should the city physician be called in to administer any part of the system? Do they question the honesty of the Mayor? If they do, it is the first time I ever knew them to. The Mayor, the City Auditor and the City Treasurer are the committee of three that are to serve without pay and have charge of the carrying out of the provisions of this pension system. And there is no reason why anybody else should be included. Section 10:

"There should be provision for contribution by the employees."

That is a very liberal recommendation for the Finance Commission to make. The chairman of the commission gets $5,000 a year, and I believe he honestly believes himself — nobody else agrees with him — that he is earning that $5,000,— but I still believe, Mr. Chairman, that it is impossible for a man getting $2.25 a day, with a family dependent upon him, with the conditions what they are in this country, with the price of food and the necessaries of life generally, including housing, what they are,— that it is an impossihility for a man to spare anything out of his day's wages to contribute to a pension of this character. If the Police Department had a contrihutory pension system, or the Fire Department, it might be well to insist that the poorest paid employees of the city have a contrihutory system. But when the higher paid departments don't have it, why should the poorer paid departments have it? Section 11:

"There should be a provision requiring the physical examination of lahorers and mechanics who hereafter seek employment in the city's service, and prohibiting the employment of those who are physically unfit."

That is settled by the civil service commission now. Section 12:

"The act should hecome effective only upon its acceptance by the Mayor and City Council."

And that is the way the act provides at the present time. It must he accepted by the City Council. Now, then, Mr. President, there may be some sound recommendations among those enumerated hy the Finance Commission, but if there are I am not aware which one it is. Personally I would not object to making it a twenty-year period, but that can he done in time. The hill is subject to amendment — any legislative act is— and if twenty-five years is too long, there isn't anything to prevent the City Council from passing a vote in favor of a shorter period and putting it in operation. And that is the principal ohjection that is made. On the matter of the mechanics, I don't believe the Finance Commission are sincere in their position on that proposition. I am satisfied thcy are not, because the mechanics to-day receive the highest wages in the city employ for continuous employment that is received anywhere. If there is a serious desire to pension the mechanics there isn't any difficulty in adding an amendment to that effect.

Coun. KENNY—I am not going to take the time of the Council to restate my ohjections or the points I undertook to make. They must be taken with whatever weight the Board will give them as I have stated them. If this matter is referred to the Executive Committee, I shall be prepared to either propose or vote in favor of a motion in that committee addressed to the Finance Commission, asking them to submit to this Council within two weeks a draft of such a bill as they would favor, and at the end of that time, if the bill which they may submit does not meet with our acceptance, I am willing to vote to accept this act.

Coun. ATTRIDGE—Mr. President, I shall vote against the reference of this order to the Executive Committee. I firmly believe that this act should be accepted or rejected hy the City Council to-day. The councilor on the other side of the Chamber, from Ward 17, spoke of the various delays in regard to this particular order and spoke of the various assignments. I was one member of the Council who introduced some orders to get information from the Mayor and his heads of departments and from the Finance Commission and from the Law Department. Those orders were not necessarily introduced into this Council for the purpose of delay, hut were introduced simply for the purpose of gaining information. I was one of those who asked that more time be given to the Finance Commission in order that that commission might make its report to the City Council. I asked that the Mayor and the heads of departments be given time in which to send information to the City Council which this Council asked for some months ago. In my opinion we have all the information upon this act which may be necessary to guide us to either voting in favor of the acceptance of the act or the rejection of it. I, for one, to-day will vote against sending the order to the Executive Committee, and I trust that I shall have a chance to vote in favor of the acceptance of this act by the City Council of Boston. The Finance Commission has made some recommendations to the City Council. I recognize in that hody a body which is working for the interest of the city as a whole. I recognize in this body a body that is also working in the interest of the city as a whole. And I helieve that the memhers of this Council will act honestly and fairly upon this proposition just as well as any other body connected with the city government. The Finance Commission recommended that the service period should he fifteen years. That is a question upon which honest men may differ. I helieve that the bill as drawn states a fair period of service for a lahorer of the city. No. 2: The Finance Commission says that mechanics in the labor force should be included as well as lahorers. I hold in my hand a communication from the Finance Commission to the City Council in relation to the rejection of the Civil Pension Act, which was chapter 619 of the Acts of 1910, and which was rejected upon the advice and suggestion of the Finance Commission by this Council. This communication is dated Decemher 10, 1910, and is to the Honorable the City Council, and the Finance Commission stated in that report that "The commission helieves that the only retirement system which can be justified on grounds of economy is one which would relieve the city of the loss caused by the retention of"—these words are in the statement— "day laborers," and by "day lahorers" I understand, and I think under the rules of the civil service it means, that these are the men who do the manual work, men who are lahorers in that sense of the term,—and the men who are the mechanics,— who are not the skilled artisans and who are not the men receiving more than $2.25 a day, the pay of the day lahorer. My opinion of that statement by the Finance Commission is that the commission is on record as favoring a pension for the day lahorer, and I am somewhat surprised to see the second recommendation of the commission, that mechanics should be included as well as laborers. As to No. 3, in regard to tests of capacity which should be made of employees between sixty and seventy years of age by the city physician, upon the request of the heads of departments, that is a matter which can he ordered by the Mayor, and is a matter which is not necessary to be taken to the Legislature to secure legislative action upon. I believe that this is now done with regard to the veterans who are being pensioned under chapter 113 of the Acts of 1911. In regard to No. 4, in regard to the employees who reach seventy years of age, that they should be retired without proof of incapacity, I quite agree with the gentleman on the other side of the Chamber, from South Boston, who says that he does not believe this is very important. In regard to No. 5, that there should be safeguards against the re-entry into city employ of those actually out of the service who desire to retire in a few days or weeks with a pension. I agree with the gentleman on this side of the Chamber, from Ward 17, that not many cases would arise in this city of men re-entering the service of the city after once applying and taking advantage of the pension system, in view of the fact that we have a very efficient Finance Commission on guard in this city. I don't think it would be possible, as conditions exist to-day, for men to re-enter the service of the city. In regard to No. 6, that the heads of departments who intend to fill vacancies caused hy retirement should he required to file a statement under oath with the City Auditor and state the reasons for filling such vacancies, I think again that this is a matter which could be ordered hy the Mayor, who has general control over the various heads of the various departments. And I think that if he should order them to carry out that provision that those heads of departments would ohey his order. In regard to No. 7, that certificates of incapacity of employees should be filed hy the city physician with the auditor before retirements hecome effective, this again is another matter of administration which could he ordered by the Mayor of the city. And I believe even to-day that the veterans of the city, under chapter 113, must be examined hy the city physician hefore they would be entitled to a pension. In regard to No. 6, the City Auditor keeping a record which is open to the public inspection, which would contain the essential facts in regard to the retirements, I helieve that that is another matter which could be done without reference to the General Court, which could be done by order of the Mayor. No. 9:

"There should he no Board of Retirement or Employee's Association; the City Treasurer should he able to administer the financial part of the system; and the heads of departments, aided by the

city physician, should be able to administer the other parts of the system."

I, for one, believe that the Mayor of the city, who is responsible to the people of the city in a great measure for the proper administration of the city's business, should be one member of the Board of Retirement as contemplated by this act. And again, I believe that the auditor of the city, as this contemplates, should also be a member of that Board of Retirement because of his connection with and his knowledge of the finance affairs and the finance conditions of the city. In regard to No. 10, there should be provision for contribution by the employees. I again agree with the gentleman on this side of the Chamber that it would be impossible to ask these men who are receiving but a pittance, in these days of high prices, in these days of the high cost of living, to contribute anything toward this pension system. As the gentleman on this side of the Chamber has said, the members of the Police Department and the members of the Fire Department, who are receiving greater wages than the day laborers of the city, do not contribute, and I say that it would be an injustice, in my opinion a rank injustice, to ask these men, who are getting $2.25 a day to contribute to a fund for this pension retirement system. No. 11: The gentleman from Ward 17, on this side of the Chamber, has stated what is the law, and the law is a rule of the Civil Service Commission which, when those rules are accepted by the Governor's Council, have the force of statute law.

"There should be a provision requiring the physical examination of laborers and mechanics who hereafter seek employment in the city's service, and prohibiting the employment of those who are physically unfit."

I have in my hand a copy of a manual of information to applicants which is issued by the Civil Service Commission, and issued under date of January 1, 1911. And on page 7, section 4, there is a statement in regard to the labor service of the City of Boston, in regard to persons who cannot apply for work. D, page 7:

"One who is physically unable to do the work for which he applies."

And on page 9 of the same pamphlet, section 5, is contained this statement:

"The physical condition of applicants. An applicant must be strong and able-bodied. He will have to pass a physical examination and will be notified by mail to appear for this examination after he has filed his application. He will be examined without clothing, and if any disease of his heart or lungs or paralysis or any serious defects of sight or hearing are found, or if he has large veins in the legs, hernia, stiff joints, or if he has lost a finger, great toe, or limb, so as to impair his present or future usefulness, his name will not be placed upon the list."

And the word "not" appears in italics. Thus, I can see that there is no necessity to go before the Legislature and ask that provision be made requiring the physical examination of laborers. That is done to-day, and that rule of the Civil Service Commission has the force and effect of law. In regard to No. 12, the act becoming effective upon its acceptance by the City Council, that is what this act provides, that it shall become effective when accepted by the City Council of the City of Boston. Chapter 113, which was passed and approved on March 8 of this year, was the act relative to the retirement of certain veterans in the City of Boston. That act has now the force of law. It is now in operation in the city, and I understand that the Commissioner of Public Works will not place a man upon the pension roll of the city under this act, as a veteran, until that man has been examined by the city physician, and has been declared by the city physician to be physically incapacitated. That act, which was passed on March 8, for the veterans of the Civil War in the employ of the city, made no contribution by the employees, and I think it would be unfair to impose such an obligation upon the laborers of the City of Boston. And I for one hope that this act will be accepted by the City Council of Boston.

Coun. HALE—Mr. President, after listening to the discussion so far I find that everybody is so familiar with the subject that it is hardly necessary to refer the matter to the Executive Committee. I think we are all ready to vote on it now, and with unanimous consent I would be glad to withdraw my motion and then I would be glad to be allowed to speak on the merits of the question.

President COLLINS—By unanimous consent Coun. Hale will be allowed to withdraw his motion.

Coun. HALE—Mr. President, in order to state my attitude on the pension question I have got to go back into past history. In 1909, when I was one of the lawyers for the Boston & Maine Railroad, I was employed to draw a pension bill for the railroad employees. After many consultations with Mr. Brandeis and with other men who had studied the subject, we drew up a pension bill which was contributory in its nature. And we got it passed by the Legislature. That winter one of the city employees representing this Joint Council, which I see has indorsed this bill, came to me with my colleague, Alderman Timilty, and asked me to assist them in drawing up a contributory pension bill. I did so. We submitted it to the Legislature. It was drawn up along substantially parallel lines to the railroad bill. The Legislature failed to pass it that year. During the summer the Old Age Pension Commission heard all this matter, and I appeared before that commission with representatives from this Joint Council and from many city employees of other cities in the state, who all favored this contributory pension scheme. Mr. Brandeis spoke at that time, and many other people who had studied the subject; many heads of departments spoke of a contributory pension before the Old Age Pension Commission. Prof. F. Spencer Baldwin was the man in the commission who paid most serious attention to the matter and made the deepest researches. They published a report recommending a contributory pension scheme along the same lines that the railroad had adopted. That winter the Storrow-Fitzgerald campaign took place and during the campaign one of the questions that was asked of all candidates by the Joint Council of the city employees was whether or not they were in favor of this contributory pension. And they advocated that pension very strongly during that campaign. The next year the Legislature passed the bill, the Finance Commission up to that time having taken no part in the discussion and not having appeared before any committee of the Legislature advocating any kind of a pension or offering any suggestions as to the kind of a pension bill that should be drawn. That act was passed, as I said, by the Legislature. The Finance Commission then issued a report criticizing certain features of it, and the City Council rejected it last year. This last Legislature passed two pension acts, one a contributory pension based on the original lines but with the amendment suggested by the Finance Commission, and the other this act which is now here. We have both of them before us, and the question to-day is whether we shall accept this one. The Finance Commission has recommended the acceptance of neither. I am very strongly opposed to this Pension Act, not for any small questions of detail which, as Coun. Curley said, could be changed later, or are not very important, but on the fundamental proposition that a noncontributory pension is bad. I feel sure now if it were a question of re-enacting the firemen and policemen's provisions there would not be any question about it—that they would be contributory. It would be absurd to change it now when the men have gotten used to one kind. It would be very unjust and no one would favor it. But if it were coming to us as a new question I don't believe anybody who had really thought about it would hesitate to choose the contributory as against the noncontributory. It is not at all a question such as Coun. Curley has brought up, of the amount of wages a man gets. That is fallacious, because if it proves, after the pension has gone into effect and the contributions are being made, that the laborers can't afford to live on the wages they are getting, of course they should get an increase. The argument used by the Finance Commission against this being a general pension act because the clerks are getting too high pay is entirely fallacious. If their pay is too high it should be cut down. That has nothing to do with the pension question. It is a question of principle, whether you want to pauperize and subsidize the city employees or whether you want to inspire them with a feeling of *esprit de corps* and working with the city—which everybody who has studied the matter thinks the contributory pension will accomplish. As I said, I am extremely sorry that the Finance Commission did not take up this matter at the time the matter was pending before the Legislature. For two years this was the only bill, this contributory bill was the only bill which had a chance of getting through the Legislature. The second year it did get through. At that time this contributory pension bill was indorsed by the city employees themselves—and I certainly think that the city employees themselves are better

judges wbetber tbey can afford to pay a tbing and whether they want to pay a tbing than any memher of this hody. They at tbat time were unanimous in favor of this contrihutory system, and I say it is extremely unfortunate for the city that the Finance Commission did not at that time, when these contributory bills were in tbe making, come up hefore the committee the way I did, the way Professor Baldwin did, and the way many others did, and get a bill that would not have these small defects, hut based on the fundamentally correct principle of the contrihutory pension, hecause then, a year ago, that hill would have gone through this Council without the slightest difficulty. And I say that if this hill is passed, a hill which I think is wrong in principle and which I shall vote against, that hill should be branded as the illegitimate cbild of the Finance Commission and the City Council—that they are each equally responsible for the hill.

Coun. KENNY—Inasmuch as the gentleman who has just taken his seat has withdrawn his motion that this matter be further considered in the Executive Committee, I desire to say that I have prepared an order, which I shall at the proper time offer to the Council, requesting the Finance Commission to prepare and file with the incoming Legislature amendments to meet the recommendations outlined in the report of the commission to the City Council, dated Octoher 23, 1911, with respect to chapter 413 of the Acts of 1911 relative to the Retirement Fund for laborers employed by thc City of Boston. I have concluded, Mr. President, that under all the circumstances these amendments which are outlined in the report can go forward and be offered to the Legislaturc and the act amended without seriously interfering with the act itself. I am so much in favor of a proper Lahorers' Pension Act that I shall rely upon the Finance Commission in accordance with its report going forward at the proper time and asking the Legislature to amend the present act by incorporating at least some of the recommendations which they have outlined to us, and I think therefore under all the circumstances, rather than suhject the measure itself, which is of too much importance and too serious in its consequences for such treatment, to possihle ultimate defeat, I am going to vote in favor of tbe acceptance of the act.

Coun. SMITH—Mr. President, I am going to vote against this act for two reasons: In the first place, it is a special act, for one special class. It should be a general pension act. I can't understand why this Council should turn down a general pension act, or delay it in its consideration until this came along, hecause there seems to me to be absolutely no doubt—and I think the majority of this Council have no doubt—that a general pension act, covering all city departments, is hetter than taking up special acts one after another to hit one special department after another. That is my first reason. It is rather a sad joke on the Finance Commission; and even tbis city government, that they bave turned down a pension act which would be contributory and would save money to the city,—treat all classes among the employees alike, treat them fairly and justly,without discrimination, without reference to how much pull one department had over another,—it is rather a sad joke that tbey are killing such a bill and getting into the maelstrom of special class legislation such as this is. My second reason for voting against it is this: I believe it distinctly had to have a noncontributory act. It is bad on the workingman himself to think that he should retire at a certain age just as if he went to the city poor house and be supported at the expense of the city. If his pay is not enougb to warrant bis contrihuting toward his own pension tben the City of Boston ougbt to raise bis pay. And I stand here and say that if we are not paying our laborers more than a living wage we ought to increase that pay; we ought to increase it to such an extent that they can contribute their fair share toward a pension. It is a severe criticism of the City of Boston that we are not paying sufficient wages to admit of that. It would have a bad effect, I believe, on the lahorers themselves if tbey were to accept of the generosity of the city without doing their part toward a pension in their old age. It is poor policy for the city; it is poor policy for the laboring man; it is poor policy hecause it is not a general pension act; it is poor policy because it is noncontributory. If the General Pension Act could come before me to-day as it did a wbile ago in this Council I should vote for it unhesitatingly, saying that no matter what defects the Finance Commission could point out, to my mind they were minor defects. Tbose defects could be corrected in the Legislature. Just as Coun. Kenny has suggested that the defects, to his mind, of this bill sbould be corrected in the Legislature, so the defects of the General Pension Act might have been corrected. And I would gladly vote for that General Pension Act if it should come before us to-day, reserving the right to work for certain amendments before it camc into effect; but as for voting for an act whicb dcals with one class only, I think it is perfectly ahsurd. We shall have to deal with other such acts. We bad hetter deal with them all on one hasis, group them all into one act. Living expenses are high. The average lahoring man has to pay more for the necessities of life. His wage has not risen as the wages in other classes have. He ought to receive a larger wage. The City of Boston could afford to pay a larger wage to its laborers if it was sure that all its laborers would he efficient. When this Pension Act goes into effect the older men among the lahorers will he cut off; they will he retired. Then the city organization will be more effective; the lahorers will do more when they are composed entirely of ahle-hodied men. We can afford under those circumstances to pay more wages. We will get more work for the same money although we are paying more wages. This is well illustrated hy Commissioner Rourke's statement that under the Pension Act for Veterans be would he glad to retire his men and put in their places half that numher of men, and he would save money by so doing. He could get the same labor accomplished at a saving to the city. So if we paid more to our day lahorers and were sure at the same time that under a pension act we were getting efficient lahor, not old man lahor, we would get more work for the same money. We could afford to pay more wagcs. Those lahorers could contrihute to their pension and the city really would he hetter off. And so I am against this partial act whicb only deals with one hody, which will necessitate other hills coming in hefore us to help out other classes,—the mechanics, for instance. I am heartily in favor of a General Pension Act with a contrihutory clause. I am distinctly against this pension act which deals with only one class and bas no contrihutory clause.

President COLLINS—The question comes on accepting No. 9 on the calendar. The Clerk will read the order.

The order was read.

Coun. BALLANTYNE—Mr. President, I ask that when the vote is taken it be by roll call.

The roll was called, and the Council voted to accept the act, yeas 7, nays 2, Coun. Hale and Smith voting nay.

Coun. CURLEY moved a reconsideration, hoping that the same would not prevail; declared lost. Coun. HALE douhted the vote and asked for the yeas and nays. Reconsideration was refused, yeas 2, nays 7, Coun. Hale and Smith voting yea.

CONSTRUCTION OF SIDEWALKS.

Coun. BALLANTYNE offered an order—That the Commissioner of Public Works make a sidewalk along hoth sides of Catherine street, hetween Bourne and Florence streets, Ward 23, in front of the estates hordering thereon; said sidewalk to he from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

President COLLINS offered an order—That the Commissioner of Puhlic Works make a sidewalk along hoth sides of Olney street, hetween Geneva avenue and Everton street, Ward 20, in front of the estates hordering thereon; said sidewalk to he from 3 to 10 inches ahove the gutter adjoining, to he from 5 to 12 feet in width, and to he huilt of gravel, with granite edgestone, under the provisions of chapter 437 of the Acts of 1893.

Passed.

AMENDMENTS TO CHAPTER 413.

Coun. KENNY offered an order—Tbat the Finance Commission he requested to prepare and file with the incoming Legislature amendments to meet the recommendations outlined in the report of the commission to tbe City Council, dated

October 23, 1911, with respect to chapter 413 of the Acts of 1911 relative to the retirement fund for laborers employed by the City of Boston.
Passed.

CLOSING OF NORTH HARVARD STREET.

Coun. HALE submitted the following order—That the Police Commissioner be authorized to close to travel by vehicles, except fire, police, hospital and mail wagons, North Harvard street, from Western avenue to the Cambridge line, or such portion thereof as may be requested by the Harvard Athletic Association, on November 11, 18, and 25, between the hours of twelve noon and six o'clock p. m., or during such other hours as said association may require.
Passed.

QUESTIONS FOR FINANCE COMMISSION.

Coun. SMITH offered the following:
Ordered, That the Finance Commission be requested to report on the following questions:
1. What permanent improvements might properly be paid for out of borrowed money?
2. What amount has the city borrowed for such permanent improvements during each of the last ten years?
3. Based on the answer to the last question, what amount would be justified for the coming year?
4. Which departments have, strictly speaking, annually recurrent permanent improvements that do not differ greatly in amount from year to year; and what is the average cost of such permanent improvements?
5. What is the advisability of paying for the annually recurrent permanent improvements set forth in question No. 4 (such as sewers and the extension of highways) as compared with the advisability of paying for miscellaneous permanent improvements, like libraries, courthouses, etc., out of the tax levy?
6. Does the commission recommend the payment of either or both of the above classes of permanent improvements out of the tax levy; and if so, which class or classes?
7. Is it advisable to keep a margin between the amount raised by taxes each year and the amount legally possible to raise by taxes; and what is the size of such desirable margin, if any?
8. Will there be money available out of the tax levy, under existing laws, to pay for miscellaneous permanent improvements, like libraries, etc., if the city adopts the policy of paying for annually recurrent permanent improvements, like sewers and highways, out of the tax levy?
Passed.
Coun. SMITH—Throughout the year I think an honest difference of opinion has existed throughout this Board, as regards the financing of permanent improvements. It has been particularly acute this year because of the large Reserve Fund. I am sure that every member of this Board would be glad of the opinion of the Finance Commission on this subject, and simply to gain that and make it more definite I have introduced the order that has just been read. I can say that Coun. Hale agrees with me in asking for these definite instructions from the Finance Commission, and I hope the same will pass, simply to give light to our deliberations.
Coun. KENNY—May I ask to have read again just the first part of that communication?
[Part of the communication was read by the Clerk.]
President COLLINS—The question comes on passing the order.
On a *viva voce* vote the Chair was in doubt, and called for a rising vote, whereupon it appeared that five voted in the affirmative and one in the negative, and the order was declared passed.

ELECTION RETURNS.

Coun. McDONALD submitted the following order—That the City Messenger be directed to make the usual arrangements for receiving election returns on the days of the coming state and city elections, and that the Mayor's hearing room be opened on the evenings of said days for the announcing of said returns, the expense of the same to be charged to the appropriation for City Council, Incidental Expenses.
Passed.

INVITATION TO MR. LAWSON PURDY.

Coun. SMITH offered the following:
Resolved, That his Honor the Mayor be requested to invite Mr. Lawson Purdy of New York to address the Council, the Finance Commission and the Assessors as soon as may be conveniently arranged.
Coun. SMITH—There seems to be a desire among certain members of the Council to understand why I introduced this. Mr. Lawson Purdy is head of the Assessing Department of New York City. He is a recognized authority. I think many of us feel that the Assessing Department of this city is not perfect. There is another system which has been adopted in New York. Much the same system is followed in Omaha, Cleveland, and at least eight other Western cities, and I thought it would be enlightening to us and also to the Finance Commission and the Assessors if we could have Mr. Purdy in this city at some near date and have him tell us just what methods he follows in New York.
The order was passed by unanimous consent.

KEEPING OF LIVE FOWL.

Coun. CURLEY offered the following:

City of Boston.

In the Year Nineteen Hundred and Eleven.

An Ordinance.

Be it ordained by the City Council of Boston, as follows:
Chapter forty-seven of the Revised Ordinances of 1898 is hereby amended by striking out section five of said chapter and inserting in place thereof the following new section:
Sect. 5. No person shall keep any swine or goats, except in accordance with a permit from the board of health; and no person shall keep any live fowl on the lands or premises owned or occupied by him after having been prohibited from so doing by a written order of the board of health.
Referred to the Committee on Ordinances.

RETIREMENT ACT.

Coun. HALE offered an order—That chapter 619 of the Acts of 1910 as amended by chapter 338 of the Acts of 1911 be accepted by the City of Boston.
The order was referred to the Executive Committee.
Coun. HALE—I would like to move reconsideration of the reference. I would like to say, Mr. President, that this is a general pension system which is criticised by the Finance Commission, but which I think is entirely sound in principle,— and that the errors, if there are any errors in it, are very trifling, and I hope very much that the President will be fair-minded enough to give us a chance to vote to-day on this matter. We have all gone into this very thoroughly on both sides on both kinds of pensions, and I hope very much that the President, even if opposed to the particular measure, will give us a chance to vote to-day upon it. I hope it will be passed so that the Legislature can take its choice between the two acts. But if the majority of the Council are opposed let us at any rate vote on the acceptance of this General Pension Act to-day.
President COLLINS—The Chair will state that on account of the size of the order and what it meant he followed the usual custom, referring it to the Executive Committee. But the Chair in order to be perfectly fair in the matter will withdraw the reference, if there is no objection.
Coun. HALE—Thank you very much.
Coun. CURLEY—I object.
President COLLINS—Do I understand the councilor to object?
Coun. CURLEY—I withdraw my objection.
Coun. McDONALD—I object.
President COLLINS—Coun. McDonald objects and the reference-stands.
Coun. HALE—I moved reconsideration of the reference.
President COLLINS—The question comes on reconsideration.

Coun. SMITH—I sincerely hope reconsideration will prevail, for this reason—that a General Pension Act has been before us during this whole year. It was before this same Council, with the exception of myself, last year. They raised certain objections, largely the objections raised by the Finance Commission. The act was sent back to the Legislature and those objections were overcome by amendments, and this General Pension Act comes down to us again with the objections of this same body incorporated. All the objections that this Council last year raised have been ironed out. This Council cannot fairly stand here to-day and object to this General Pension Act on the same grounds it did last year. It has got to find new grounds. Now the Finance Commission were in favor of this General Pension Act with certain restrictions, and they named those restrictions last year, and this Council named the same restrictions. Now this Council has got to show some ingenuity and raise new objections. Otherwise the Pension Act will stand as their own Pension Act. There can't be any doubt that a General Pension Act dealing with all our departments at once is better than several special ones dealing with one department after another. The Finance Commission has recognized that time and again. In criticising this special act we voted on this afternoon they said it was defective because it did not include mechanics. There is no doubt we ought to have a General Pension Act. The only question comes on certain details. Now I sincerely hope reconsideration will prevail and that we will thrash this matter out here. If this Council is really in favor of pensions they ought to be in favor of pensions for all city employees and not for any one class only. They ought to stand here upholding the laborers of this city without reference to class. And I sincerely hope that this Pension Act will be taken up in a broad spirit. If the councilors are voting for one class, let them say so. If they are voting for pensions because they favor pensions, let them come out and say so in open board.

Coun. KENNY—I desire to respond to that invitation very promptly and say that I am against this Pension Act. I am in favor of a pension for laborers, and that has been my position for the past year, and there ought not to be any doubt about it.

Coun. SMITH—Mr. President——

President COLLINS—Will the gentleman yield?

Coun. KENNY—I will yield.

Coun. SMITH—May I ask whether Coun. Kenny is against pensions for any class except city laborers? Is he for that pension and that only?

Coun. KENNY—Yes, sir; that is correct. My position is unalterably fixed. I am against the granting of pensions, as I have already stated on the floor of this Board, to anybody other than laborers, and I have given my reasons for it. Now, Mr. President, I don't know why that statement should draw forth an exclamation of surprise from my friend on the left. It is not a matter of surprise. It has been my attitude during the entire year. This matter has been threshed out repeatedly—and I would like to say to the Council that there is not a village, town or city in the Commonwealth that has yet accepted the provisions of this Pension Act.

Coun. SMITH—Of course, this special act has only been on the books for a very short time. The one on the books last year was refused. It is no criticism of this Pension Act to say that no other town has accepted it. Boston ought to accept it first. I would be glad if Boston did accept it first. I wish Boston were the pioneer in pensions for all its city employees. It is queer we don't object to Boston being a pioneer in regard to a special class of employees. Why should we object to Boston being a pioneer as to pensions for all its employees? It is right in principle. If one of our classes of employees is getting too much pay that class ought to be reduced in pay. I sincerely hope that no member of this Council is against all the classes except laborers. I expressed surprise under my breath at that statement of Coun. Kenny, and I admit surprise now, that any member of this Board should be against the laborers of the city getting a pension, with the small exception of the day laborers. Is he against mechanics getting the pension? The Finance Commission recommended that mechanics be included with the day laborers. Is he against every clerk in the city getting a pension? I am surprised. Personally, I shouldn't think of taking that view. I sincerely trust that not one class shall be benefited by pensions by the City of Boston, but that all will be dealt with equally—that the matter may be dealt with as a general matter. And I hope reconsideration will prevail.

Coun. KENNY—Mr. President, if the gentleman had followed my remarks earlier in the afternoon with respect to the Laborers' Pension, he would have recalled or he would have known that I have already stated that I am in favor of putting in the mechanics, because I treated them as laborers, as far as the pension was concerned, as men receiving only a living wage. And those are the men whom I stood here prepared to support in the matter of a pension. We have already threshed this matter out repeatedly. It is a matter of public record here; and this Board is on record here last year as having rejected the parent of this act, so called. I am prepared now, as one member, before we take a recess or adjourn, to vote against the acceptance of this act and to vote in favor of its rejection.

President COLLINS—The Chair respectfully states that on a question of reconsideration it is unparliamentary for councilors in debate thereon to go into the merits of the question.

Coun. SMITH—I did not intend to do any injustice to Coun. Kenny in quoting his remarks, and in order not to do so I would like to repeat the question I asked him before.

President COLLINS—With unanimous consent Coun. Smith may ask the question.

Coun. SMITH—That is, he is against pensions for city employees with the exception of laborers, including mechanics. If that is a fair statement of his attitude I will allow it to stand. If not I want to do him the justice of allowing him to correct it.

The question came on reconsideration of the reference. On a rising vote, six voted in the affirmative and none in the negative and reconsideration was declared to have prevailed.

President COLLINS—The question now comes on the acceptance of the act.

Coun. HALE—I am going to say a word, Mr. President. I am in favor of this very strongly and I hope everybody that votes against this bill will realize that it is a vote, in the first place, against a bill that has been prepared with very great care and thought and recommended by the Old Age Pension Commission, by Professor Baldwin, by Mr. Louis D. Brandeis, and by a great many others who have given the matter very careful attention. In the second place, I hope that everybody will realize that a vote against this bill is, as my brother from Ward 11 says, a vote against a pension to every other man in the city except the laborers, including the mechanics. And I think everybody ought to realize it in both its aspects before they vote against the bill. I hope the bill will be carried so that the Mayor may have his choice between the two.

Coun. SMITH—I only want to drive home once more the fact that this is a vote against the employees of the city, and I think that the councilors here who vote against this bill ought to receive the thanks of every labor union in this city; every union of employees ought to realize that their friends in this body are voting against pensions for them, and at the same time are voting for pensions for one class of them, namely, the laborers. I think a man who takes that attitude in this Council is lacking in breadth of view. If he distinctly gets up here and says, "I am in favor of pensions" and makes a big to-do about it, and then when it fizzles down to a vote he is in favor of pensions for one class only, it is a pretty small attitude to take. If he is honestly in favor of pensions he is in favor of pensions for all alike and not for any one class only. It seems to me the rankest kind of class legislation, and I for one want to stand here and say that I am in favor of pensions for all the city employees and not for any one class. I can't understand how the gentlemen who have voted earlier in this session for pensions for the laborers, with possible inclusion of mechanics if they can get it through, how such gentlemen can stand here and vote against pensions for other departments of this city. And I want to say in fairness to the clerks in this city, and to other salaried employees, that I don't think as a general rule that the salaries are exorbitant. If they are doing too little work for their salaries, increase their work. Those salaries are not large as clerical salaries. It is hard work for a man with a family to live on $1,500 a year, to live and keep up the appearances he must keep up as a clerk in the city's employ. It is little enough for him to get. If he is not doing the work to earn $1,500 give

him more work, but don't cut his salary down below the living point; $1,500 is little enough for any clerk to get. It is hard work to live on that with a family and keep up the appearance that a clerk has to keep up. It is easier for a day laborer to live on $1,000 for a year than for a clerk to live on $1,500, because the laborer doesn't have to keep up the same appearances. And I repeat, it is rank injustice to vote here in favor of one class in distinction from all others in the city's employ, and I hope the employees of the city will realize that fact.

Coun. KENNY—I don't want to encourage the custom that seems to be growing in this Council, of standing up and debating, and repeating and repeating and repeating what has been said. Now I, for one, am getting rather tired of that. Some of the members here—I won't be specific—advance a proposition and then they make a reply to everything that has been said, and if nothing has been said they get up and talk it over again. My position in this matter is not one that should be in doubt. I should not be interrogated by my friend here as to how I stand in this matter. It is not a matter that is in doubt. Let him read the records of this Council. Let him read the records a year ago. I stated my position then and have not changed. I am prepared now to vote against the adoption of this pension act.

The Council refused to pass the order accepting the act. Coun. HALE doubted the vote and asked for the yeas and nays. The Council refused to accept the act, yeas 2, nays 7, Coun. Hale and Smith voting yea.

Coun. KENNY moved to reconsider, hoping it would not prevail; lost.

THE NEXT MEETING.

Coun. CURLEY—Mr. President, I move that when the Council adjourns it be to meet two weeks from to-day at 3 p. m.

The motion was carried.

ROOM IN NEW CITY HALL ANNEX.

Coun. CURLEY offered an order—That his Honor the Mayor be requested to grant the Department of Massachusetts United War Veterans the use of a room in the new City Hall Annex when the same is completed, as allowed heretofore in the Old Court House.

Passed.

In connection with the above was the following letter:

Department of Massachusetts,
United Spanish War Veterans,
Charlestown, Mass., October 24, 1911.

Hon. James M. Curley:

Dear Sir,—The Department of Massachusetts United Spanish War Veterans are trying to get a room for headquarters in the new City Hall Annex and I take the liberty of asking you to help us in the matter.

We have always had a room in the Old Court House, but as that is being torn down we have had to vacate and go to Gardner, Mass., which is greatly to our inconvenience.

The Mayor has always acted favorably towards us and I am sure if you will see him he will make arrangements whereby we can have a room in the new building.

Hoping you will help us in this matter and thanking you for past favors,

I am, sir,

Very respectfully,

NEIL F. McDONALD,
Junior Vice Department Commander,
Department of Massachusetts,
United Spanish War Veterans.

10 Tremont Street, Charlestown.

ADJOURNMENT.

Coun. CURLEY—Mr. President, I move that the Council do now adjourn.

Coun. SMITH—Mr. President, is that a motion to adjourn or to take a recess?

President COLLINS—To adjourn.

Coun. SMITH—Mr. President——

President COLLINS—No debate is in order on a motion to adjourn.

The motion to adjourn was declared lost. Coun. CURLEY doubted the vote and asked for the yeas and nays.

Coun. SMITH—Mr. President, a resolution I have introduced is in the Executive Committee.

President COLLINS—No debate is in order on a motion to adjourn.

Coun. SMITH—I wish action taken on that matter before two weeks from to-day.

Coun. CURLEY—Mr. President, I doubted the vote and asked for the yeas and nays.

The motion to adjourn was carried, yeas 7, nays 2, Coun. Hale and Smith voting nay.

Adjourned, at 6.15 p. m., to meet on Monday, November 13, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Thursday, November 2, 1911.

Special meeting of the City Council, held in the Council Chamber, City Hall, at 1.30 o'clock p. m., for the purpose of drawing jurors in accordance with the provisions of chapter 514, Acts of 1894, President COLLINS in the chair and a quorum present.

One hundred forty-eight traverse jurors, Superior Criminal Court, Special Session, to appear November 13, 1911:

Hans J. Lungren, Ward 1; Peter G. Rice, Ward 12; Cornelius F. Lynch, Ward 2; Walter H. McGowan, Ward 15; Michael P. Shea, Ward 7; Rocco L. Ascolillo, Ward 6; Clarence L. Nichols, Ward 20; Robert H. Cross, Ward 21; James J. O'Brien, Ward 4; Herbert C. Foss, Ward 20; J. Harleston Parker, Ward 11; John A. Fitzgerald, Ward 2; Daniel Hynes, Ward 18; Cornelius Toomey, Ward 1; George H. Booker, Ward 18; Joseph Davis, Ward 14; George E. Lyon, Ward 5; Philip Raymond, Ward 20; Wilbur A. Jordan, Ward 20; John O'Connor, Ward 22; Milledge Cecil Short, Ward 20; Robert A. Southworth, Ward 20; Thomas R. Sullivan, Ward 2; Charles J. Blasser, Ward 19; Berthold E. Saenger, Ward 22; John F. Talbot, Ward 4; James P. Cair, Ward 4; Ellsworth G. Eldredge, Ward 20; John G. Koelsch, Ward 21; Alexander D. Ritchie, Ward 17; Samuel Gryzmisch, Ward 11; Davis Frank, Ward 20; Edward C. Power, Ward 10; Carl F. Corey, Ward 10; Thomas R. Grimes, Ward 14; Michael W. Power, Ward 11; Edward Licnman, Ward 10; Charles A. Robinson, Ward 23; Isaac L. Wyzanski, Ward 12; Walter E. Barber, Ward 21; Sanford W. Stewart, Ward 3; James A. Moulton, Ward 3; John S. Gordon, Ward 17; John A. Johnson, Ward 20; Ernest E. Sewall, Ward 23; Frank J. Rogers, Ward 25; Daniel F. Hart, Ward 9; Charles H. Porter, Jr., Ward 21; Bartholomew J. Evans, Ward 12; Edmund L. Cummins, Ward 3; Thomas M. J. Tibbetts, Ward 3; George M. Basset, Ward 22; Patrick T. Coakley, Ward 21; Harvey R. Ruggles, Ward 25; Frank S. Hickey, Ward 10; Horatio Williams, Ward 10; Joseph A. Noyes, Ward 5; James E. McCoy, Ward 23; Frank Hutchinson, Ward 24; George M. Rich, Ward 20; Peter Glynn, Ward 19; James E. Collins, Ward 3; Rudolph Mertin, Ward 23; Andrew A. Forshner, Ward 1; Mark Lewis, Ward 21; Andrew D. Mackenzie, Ward 23; John M. Butler, Ward 11; James Patterson, Ward 25; Oscar Stiegler, Ward 22; Robert J. Harney, Ward 12; James Donovan, Ward 14; Charles M. Bong, Ward 10; Robert C. Reed, Ward 11; John Campbell, Ward 18; Charles E. Maurey, Ward 9; Edward J. Leonard, Ward 20; Frederick H. Merrill, Ward 18; W. Herbert Boynton, Ward 20; John Leverone, Ward 6; Louis R. Goulding, Ward 11; George L. Miller, Ward 20; Gustav Johnson, Ward 20; Michael Hartigan, Ward 14; Peter McGovern, Ward 21; Harry A. Hatch, Ward 23; F. Warren Clark, Ward 20; Augustine W. Barry, Ward 1; Harry H. Frost, Ward 12; Harry W. Clay, Ward 1; Joseph S. Robbins, Ward 1; Thomas A. Ahern, Ward 16; Lucius W. Cleaves, Ward 15; Michael J. Malone, Ward 17; William W. Polk, Ward 12; Edmund Coffey, Ward 20; Frederick W. Rogers, Ward 20; James E. Toumey, Ward 8; Lucius S. Brown, Ward 8; Frederick E. Cleaves, Ward 20; Frederick Parsons, Ward 25; Ferdinand Bodecker, Ward 24; Simon Feder, Ward 22; Edward F. McLeod, Ward 2; Herbert W. Scott, Ward 20; George H. Richmond, Ward 22; Walter Leo Flanagan, Ward 16; John F. Cronin, Ward 11; William Lynde, Ward 12; Arthur D. Marcy, Ward 12; Robert Haberlin, Ward 14; Russell S. Stubbs, Ward 22; John J. McKinnon, Ward 24; James F. Coleman, Ward 12; Winfred C. Burbank, Ward 25; Joseph F. McDonald, Ward 21; Frank J. Hackett, Ward 4; James J. O'Brien, Ward 3; Michael J. White, Ward 17; Perceval Sayward, Ward 16; Stephen J. Fallon, Ward 25; Frederick J. McNaughton, Ward 1; Charles E. Flagg, Ward 23; Patrick Landirs, Ward 7; Willis G. Guild, Ward 19; James Cramp, Ward 2; John P. Kearney, Ward 14; Alexander C. Morrill, Ward 12; John A. Curran, Ward 14; Louis Burckhardt, Ward 21; John W. Williams, Ward 20; Robert Olsson, Ward 14; Sprague H. Perkins, Ward 20; James Holland, Ward 3; Richard F. Keough, Jr., Ward 1; Thomas Halloran, Ward 17; Daniel W. Wilson, Ward 17; William E. Knight, Ward 20; Andrew H. Vallee, Ward 12; Isaac C. Austin, Ward 21; Walter L. Morse, Ward 20; Patrick J. McManus, Ward 21; Ernest Favier, Ward 18; William J. Johnson. Ward 20; Harry S. Moy, Ward 23; Thomas E. Tarment, Ward 23; Herbert T. McCormack. Ward 20; Levi N. Hyland, Ward 24; Frank M. Macomber, Ward 11.

CITY OF BOSTON.

Proceedings of City Council.

Monday, November 13, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair, and all the members present.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

JURORS DRAWN.

Fifteen traverse jurors were drawn for the Superior Civil Court, Fourth Session, to appear November 22, in accordance with the provisions of chapter 514, Acts of 1894, viz.:

Thomas J. O'Brien, Ward 1; John J. Gormley, Ward 1; Almon C. Brown, Ward 24; Linwood Lewis, Ward 20; Joseph S. Silva, Ward 6; John J. Murphy, Ward 14; John F. Biggane, Ward 22; Timothy McCarthy, Ward 12; Axel Olsen, Ward 12; William Bowman, Ward 14; Stacy L. Hall, Ward 20; Charles B. Sawtelle, Ward 23; Charles G. Stellherger, Ward 22; David R. Crowe, Ward 10; Cephas B. Lyman, Ward 25.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments, all for the term ending April 30, 1912, viz.:

(1) Tasker C. Crosson (736 Shawmut avenue, Ward 18), to he a Weigher of Coal.

(2) Clarence E. Doane (107 Lexington street, Ward 1) and Patrick J. Ryan (2 Clayton place, Ward 17), to be Weighers of Coal and Measurers of Wood and Bark.

(3) Jacoh A. Rosenhaum (7 Plant avenue, Ward 22), a Constahle of the City of Boston.

Severally laid over under the law.

APPORTIONMENT OF COUNTY EXPENSES.

The following was received:

City of Boston,
Office of the Mayor, Novemher 10, 1911.

To the City Council:

Under chapter 482 of the Acts of 1911, provision is made for the appointment of a commission to consist of three disinterested persons, not residents of the County of Suffolk, who shall, after such notice and hearing as they deem sufficient, consider and report upon an adjustment and apportionment of the expenses of the county that should fairly he horne hy the municipalities of Revere, Winthrop and Chelsea. The commission is to expend such sums of money as may he necessary, and as shall be approved by the Supreme Judicial Court, and shall receive such compensation as the court may fix. The court in its decree shall apportion the expenses and compensation among the cities and towns of Suffolk County.

The accompanying order initiates action on this measure hy authorizing the Corporation Counsel to apply to the Supreme Judicial Court for the appointment of commissioners. I believe that the City of Boston has hitherto borne far more than its share of the county expenses, and that a just apportionment will result in considerahle financial relief. For this reason I recommend the passage of the accompanying order hy your honorable body.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That the Corporation Counsel he and herehy is authorized in the name of the City of Boston to apply to the Supreme Judicial Court for the appointment of commissioners under chapter 482 of the Acts of the year 1911, to consider and report upon such an adjustment and apportionment of the expenses of the County of Suffolk and the proportion thereof as should fairly be borne hy the municipalities of Chelsea, Revere and Winthrop.

Referred to the Executive Committee.

COST OF POLICE STATION, SOUTH BOSTON.

The following was received:

City of Boston,
Office of the Mayor, Novemher 10, 1911.

To the City Council:

In reply to your request, conveyed in an order passed at the meeting of Octoher 16, 1911, that I ascertain through the proper department and advise the Council of the prohahle cost of a new station for the Police Department, Sixth Division, in South Boston, I transmit herewith a statement from the Superintendent of Puhlic Buildings, which estimates the cost of a station providing accommodations for about one hundred (100) men as eighty thousand dollars ($80,000), exclusive of the cost of the site.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Public Buildings Department,
November 8, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir—In reply to your communication of the 24th ultimo relating to the inclosed order of the City Council requesting information as to the probahle cost of a new station for the Police Department, Sixth Division, in South Boston, I wish to advise you that I have conferred with the Police Commissioner and with the captain of the Sixth Division in South Boston as to their anticipated requirements and have thereby been enahled to arrive at a prohahle cost.

A police station in that district should provide accommodations for ahout one hundred (100) men. It should be of second-class construction and I estimate cost to be in the vicinity of eighty thousand dollars ($80,000), exclusive of cost of site.

Yours respectfully,
M. J. FISH,
Superintendent of Puhlic Buildings.

Referred to the Committee on Finance.

MORTUARY IMPROVEMENT, CITY HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, November 4, 1911.

To the City Council:

The accompanying letters from the Medical Examiner of the Southern District and the District Attorney explain the need of an additional appropriation for the improvement of the mortuary at the City Hospital. I recommend the passage of the accompanying order transferring the sum of thirteen thousand dollars ($13,000) from the appropriation for Reserve Fund to the appropriation for Hospital Department, Improvement of Mortuary.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Boston, Novemher 2, 1911.

John F. Fitzgerald,
Mayor of Boston:

Your Honor,—In a previous communication to your office I called attention to conditions existing at the morgue, used jointly by the Boston City Hospital and the Southern Medical Examiner District, which needed prompt attention. I was asked at that time to take the matter up with the trustees of the Boston City Hospital and was authorized to expend a small amount of money and take other measures to meet the acute emergency existing at that time.

The permanent steps necessary in order to prevent a recurrence of these unfortunate conditions could hest he carried out in cold weather when bodies might he kept without artificial refrigeration. There has heen appropriated for the purpose of remodeling the morgue the sum of $15,000. This sum will care for the rebuilding of the columharium but will not provide for the work of the

Allied Printing Trades Union Label Council Boston Mass

Medical Examiner. The District Attorney of Suffolk County will communicate with you in reference to the necessity of adequate quarters and equipment for the Medical Examiner service if its work is to be well done. The present quarters are a makeshift and lead to a wasteful expenditure of energy and time in the doing of even routine work. There is lacking the privacy essential to medico-legal work and there is not room for the equipment which even a business office requires.

The enlargement of the columbarium without raising the building will result in cutting down the small amount of space at present available.

Mr. Edward P. Dana has been asked by the trustees of the Boston City Hospital to make rough plans for the building after consultation with Dr. John H. McCollom and myself. The result of our conference was a tentative plan for a building of two stories, enlarging the present mortuary structure and furnishing enlarged quarters and a well-isolated autopsy room for the Medical Examiner service. Mr. Dana estimates that the cost of the remodeling according to these plans will be $28,000. This expenditure I believe to be necessary and I therefore recommend that an additional sum of $13,000 be appropriated for this purpose.

Very sincerely yours,
TIMOTHY LEARY, Medical Examiner.

—

Boston, November 2, 1911.
Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Mr. Mayor,—I believe that Medical Examiner Dr. Timothy Leary has laid before you certain suggestions relative to giving him as Medical Examiner somewhat better quarters and accommodations than he has at present.

The figures regarding the amount of business handled by him, and by that I mean the number of sudden deaths due to violence or unknown causes, are simply appalling. We all agree that the bodies of these unfortunates where an autopsy must be performed should have the most respectful care and attention. This the people demand and this I know to be the feeling of the Medical Examiner. The crowded conditions for such dead are inexcusable in our great city.

In the next place the Medical Examiner is charged with a tremendous responsibility not only in so far as detection of crime is concerned but also in reaching his conclusions regarding cause of death, which affects the families and friends of the deceased and the public morals also. He therefore should have adequate quarters for the performance of his important work. He should have privacy and should also have a well equipped laboratory, for this sort of work is an integral part of his official investigations.

I sincerely join in the request that he has made upon you and trust that you will see your way clear to grant his application regarding increased accommodations. I am sure that the people of Boston would not begrudge the necessary expense to give him adequate and satisfactory quarters.

Very truly yours,
J. C. PELLETIER,
District Attorney.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of thirteen thousand dollars ($13,000) from the appropriation for Reserve Fund to the appropriation for Hospital Department, Improvement of Mortuary.

Referred to the Executive Committee.

ROOM FOR SPANISH WAR VETERANS.

The following was received:

City of Boston,
Office of the Mayor, November 13, 1911.

To the City Council:

In reply to your request contained in an order passed at the meeting of your honorable body held on October 30, 1911, "that his Honor the Mayor be requested to grant the Department of Massachusetts United Spanish War Veterans the use of a room in the new City Hall Annex when the same is completed," I beg to transmit a letter from the architect of the building, which states that it is entirely feasible to grant this request, and I have ordered that in arranging the plan of the building he provide accommodations for the society designated by you.

Yours respectfully,
JOHN F. FITZGERALD, Mayor.

—

20 Beacon Street,
Boston, November 9, 1911.

Mr. William A. Leahy,
City Hall, Boston, Mass.:

Dear Mr. Leahy,—In answer to your letter of the 9th instant concerning space for the United Spanish War Veterans in the City Hall Annex, there is space enough to give this organization a place.

Respectfully yours,
EDWARD T. P. GRAHAM.

Placed on file.

INVITATION TO LAWSON PURDY.

The following was received:

City of Boston,
Office of the Mayor, November 13, 1911.

To the City Council:

In compliance with your request contained in a resolution passed at the meeting of October 30, 1911, that "his Honor the Mayor be requested to invite Mr. Lawson Purdy of New York to address the Council, the Finance Commission and the assessors as soon as may be conveniently arranged," I inclose a copy of my letter to Mr. Purdy and his reply thereto.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Office of the Mayor, November 7, 1911.

Mr. Lawson Purdy,
President Department of Taxes and Assessments, New York, N. Y.:

Dear Sir,—The City Council and the Finance Commission of Boston have given attention recently to the Somers System of Real Estate Valuations, which is said to be in operation in the city of New York. It has occurred to the members of the Council that a personal conference with the assessing officials of your city would be advantageous. I write, therefore, to invite you to meet these bodies at some date when it may be convenient for you to visit Boston.

Trusting that we may be honored by your presence as our guests, and assuring you that we shall do everything possible to make the visit agreeable, I remain,

Yours very truly,
JOHN F. FITZGERALD, Mayor.

—

Department of Taxes and Assessments
of the City of New York,
November 10, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—I have received your letter of the 7th, and regret that my duties here are so exacting at this season that I cannot well make a visit to Boston. If you could send someone to New York we should be pleased to show him our methods, books, etc. It is incorrect to say that the Somers system is employed here. The system long in use in this city has certain points in common with the system recommended by Mr. Somers.

Yours truly,
LAWSON PUROY.

Placed on file.

REPORT OF FIRE HAZARD COMMISSION.

The following was received:

City of Boston,
Office of the Mayor, November 13, 1911.

To the City Council:

I transmit herewith the report of the so-called Fire Hazard Commission, consisting of representatives of the Boston Chamber of Commerce, the United Improvement Association and the Central Labor Union, together with Francis M. Carroll, Esq., who was appointed by me in place of the chairman of the Finance Commission, who had declined to serve. In my opinion this report is of great value, and should be printed as a city document for circulation among those who may wish to study its conclusions and recommendations.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Hon. John F. Fitzgerald, Mayor:

Sir,—This commission was appointed by you to examine into the needs of the Fire Department and to study the general subject of the fire hazard in the City of Boston. We organized on August 31 and from that time until the date of this report have devoted a large amount of time to the work.

We have inspected in detail the various functions of the Fire Department, have familiarized ourselves with its workings, have visited a numher of the apparatus houses, and have examined into the two principal auxiliary hranches of the department, the fire-alarm office and the repair shop. We have carefully studied and analyzed the reports of other investigators, and have heen in communication with recognized experts hoth here and in other cities. We have been aided hy the various reports of the National Board of Fire Underwriters and the Boston Chamher of Commerce. We also held several puhlic hearings.

One of our memhers, Mr. Decrow, representing the commission, visited the exhibition of fire apparatus recently held in Milwaukee and examined into the workings of the fire departments in that city, Chicago and Detroit. The commission as a hody visited Springfield, Mass., where every opportunity was given to witness the operation of the automohile apparatus in service there.

In making our report we have endeavored to hold to existing conditions and to realize that any corrective measures which may he adopted hy law or ordinance to reduce and prevent the hazard from inflammahle construction cannot for many years have any marked effect on Boston as it stands to-day. Fires must necessarily he of frequent occurrence and the great prohlem of to-day is to keep them as small as possible. The Chamher of Commerce of Rochester, N. Y., in a recent hooklet on fire prevention and protection printed at the top and hottom of each page the words, "Every fire is the same size at the start." These words represent very nearly the whole truth. To this it may be added with equal truth that the size after ten minutes depends on the discovery of the fire, the expedition of the discoverer in giving the alarm, the construction and contents of the huilding, the expedition of the fire department in responding and in the efficiency of its men and apparatus.

The city and its citizens have control over every one of these elements.

We have the honor to respectfully submit the following recommendations:

To Decrease the Time Between the Discovery of a Fire and the Giving of an Alarm.

(*a.*) The institution of a campaign of education on the location of the nearest alarm box and the method of operating same.

(*b.*) The suhstantial increase in the number of alarm boxes and the relocation of many of those now in service.

To Increase the Certainty of Uninterrupted Operation of the Fire-Alarm Service.

(*a.*) The relocation of the fire-alarm operating office in a huilding of absolute fireproof construction, free from any present or reasonably possible future exposure hazard, and the installation of the most modern and approved operating machinery and devices.

(*b.*) Until this is done the maintenance of an auxiliary cahle station where, in the event of disaster to the present plant, temporary operating facilities could at once be connected in, and the extension of the present department telephone circuits to an exchange of the New England Telephone and Telegraph Company.

(*c.*) The replacement of present overhead bare wires with either overhead or underground cahles, as the case may require.

To Hasten the Response of Apparatus to the Scene of an Alarm of Fire.

(*a.*) The gradual replacement of the present horse-drawn apparatus with motor-propelled apparatus.

(*b.*) The relocation of certain of the apparatus houses.

To Increase the Numerical Efficiency of the Fire-Fighting Force.

(*a.*) The redistribution of the present fire-fighting force and a closer equalization of the force on duty, so that the variation between the numher on duty day and night will he reduced.

(*b.*) The employment of a reserve force so that the force on duty may be always kept up to a definite standard.

(*c.*) The aholition of the practice of detailing memhers of the fire-fighting force for repair work or work in auxiliary hranches, whereby their services are lost to the fire-fighting force.

To Reduce the Conflagration Hazard.

(*a.*) The enactment of laws which shall prohihit the construction of any third-class building within a certain area of the so-called metropolitan district.

(*b.*) The enactment of city ordinances which shall prohihit the construction of any third-class huilding within the city limits.

(*c.*) The enactment of a law prohihiting the construction of any but fireproof buildings within the congested husiness district of the city.

(*d.*) The passage of a law requiring all second or third class huildings now existing within the congested husiness district of the city to be equipped with sprinkler service, except that houses for habitation not used in any portion for any other purpose need not he so equipped, and that hotels and lodging houses need be so equipped only in the hasement, first story and public halls, dining rooms or assemhly rooms.

To Decrease the Possibility of Fires from Carelessness or Evasion of the Laws and Ordinances.

(*a.*) The immediate codification of all laws and ordinances relating to the prevention of and protection from fire and the protection of human life from fire and explosives with a view to the amendment of such laws that the enforcing power shall lie in one central body.

(*b.*) The enactment of laws imposing fees for licenses for carrying on certain trades likely to cause fires.

REASONS AND ARGUMENTS FOR RECOMMENDATIONS.

Public Cooperation and the Notification Service.

The principal auxiliary to an efficient fire department is the prompt notification of the existence of a fire. We helieve that as a rule our department is not given the henefit of prompt notification. This results from two causes:

First.—The ignorance of the average citizen of the location of the nearest alarm box, and means of operating it, and

Second.—An insufficient number of alarm hoxes and improper location of many of those now in service.

Better cooperation on the part of the public will do much to strengthen the work of the department. It is of little use to cut down the number of seconds required for a "hitch" after an alarm is given if minutes are to be wasted by the public before the department is notified.

In Appendix I. we outline some methods that may easily be adopted to correct this weakness in the notification service.

A suhstantial relocation of the alarm boxes of the city and a substantial increase in their number, especially in the southern suburhs, is an imperative need. When many of the boxes were put in service in their present locations, some nearly forty years ago, conditions as to numher and extent of buildings were entirely different from those of to-day. Many areas have since heen huilt up for which adequate alarm service has not been provided. Many of the existing hoxes are in inconspicuous places, set in from 10 to 25 feet from the junction of intersecting streets so as to be visihle from one street only. These boxes should be located on the corner if possihle, so as to be visihle from all directions. All hoxes should also he kept conspicuous by frequent coats of hright red paint, and wherever possihle should he lamp-post hoxes.

We believe that the expense of relocation and the addition of many new hoxes would he far more than offset by the results in quicker notification service.

There are to-day in the city about forty schoolhouses which are not supplied with a fire-alarm box connected with the fire-alarm circuits. These should he installed at once. The amount of money needed for this improvement is small in comparison with the resulting protection to the thousands of children in our schoolhouses.

We therefore recommend that a sufficient appropriation be made to enahle the Fire-Alarm Branch to install one hundred new street boxes, and to

relocate properly many of the existing boxes, and that a sufficient appropriation be made to enable the Schoolhouse Department to equip all schoolhouses with an auxiliarized box and auxiliary equipment of the latest type, and also to remove such of the remaining inside boxes as may properly he so removed to the outside of the buildings.

The Fire-Alarm Operating Office.

The uninterrupted operation of this department is a very vital part of the fire organization. The building in which the central office apparatus is located and in which is centered all the department's electrical means of communication is the headquarters building on Bristol street. This building is of general fireproof construction, but is wrongly placed, is on a narrow street, has an excessive exposure hazard, and contains much unnecessary woodwork. Should this building be gutted by fire the city would be entirely without fire-alarm service, all the incoming box circuits, the outgoing tapper and gong circuits and the department telephone system centering there.

A still further danger lies in the fact that all the cables of the fire alarm and telephone circuits are brought into the building at one point. Within the past year a slight fire in or near the manhole dangerously threatened to disrupt all arteries of communication.

The general set-up and construction of the operating office is out of date and seriously at fault. Some of the operating apparatus is obsolete and should be removed. Some should be replaced by more modern machinery. The defects are being remedied to a certain extent, but we believe that the plant can never be brought up to the best modern practice without a removal to another building.

We are strongly of the opinion that as soon as it is possible to do so a one-story and basement structure of absolutely fireproof construction, for the exclusive use of the fire-alarm operating service, should be built on a location where freedom from future exposure hazard is assured. The Charles street side of the Common offers an ideal location. The requirements of the public safety should override any remonstrance to placing another building on the Common. The building need not be a large one and could be of an ornamental character.

Until this is done we believe that an auxiliary cable station should be placed in the basement of the new City Hall Annex, so that in the event of disaster to the headquarters building the cables could be picked up at this auxiliary station and attached to temporary operating apparatus.

Some arrangement should be made, while present conditions exist, whereby the department telephone circuits may be immediately cut in on to one of the New England Telephone and Telegraph Company's switch boards in case of accident to the operating plant. Such an arrangement, while crude, would, with the public telephone system as a substitute for alarm boxes, afford reasonable notification service during any period of disaster.

The department telephone system itself while fairly efficient is not up to modern standards. It would gain in efficiency if equipped and maintained by the local commercial company.

Much of the wiring of alarm circuits, especially in the southern suburbs, is old. In many cases bare wires are carried on poles with high tension circuits. This condition should be remedied as soon as possible in order that a repetition of the consequences of the Christmas storm of 1909 may not recur. At that time considerable portions of Roxbury, West Roxbury and Dorchester were without fire-alarm service for many days.

The Fire-Alarm Branch should be furnished with suitable automobiles. Many of the outlying box circuits carry a large number of boxes, covering a considerable area, so that any interruption of the circuit cuts off a large section from alarm service. It is important that the department have means for quickly reaching and locating the scene of circuit troubles. As it is to-day the efficiency of this branch is reduced through the enormous amount of time taken to reach the outlying circuits. Far more time is often spent on the road than is required to make the actual repairs.

Motor-Propelled Apparatus.

Motor-propelled apparatus has reached a stage in its development where it is an assured factor in a city fire department. This is especially true as regards hose wagons and chemical engines, where the proposition is not far different from the commercial trucking field, the chief difference being in the added speed and in the construction necessary to withstand this added speed. In order that the best results may follow we do not advise that any large proportion be changed at once, but rather that the installation be made gradually.

In Appendix II. we outline a plan with reasons for the gradual installation of motor-propelled apparatus, and we advise the immediate appropriation of the money necessary to purchase and install such apparatus.

Relocation of Apparatus Houses.

Boston, outside of the city proper, is made up of cities or towns which have been annexed and many of which before annexation had fire departments of their own. Some of the houses of these departments are in use to-day. Under conditions which were in existence then, these houses were properly located. Take for example the house of Engine 19 of Mattapan. When this house was built Mattapan was a detached village considerably removed from any other center of habitation. The engine company located there did not have nearly the territory to cover which it could have covered, but still it was necessary. To-day the territory between Grove Hall and Mattapan is largely built up and Engine 19's location is now far "off center" — its circle of activity is cut almost in half by its location close to the Neponset river, the boundary line between Boston and Milton. Moved to the north about three-quarters of a mile on Blue Hill avenue, it would still be in a position to quickly reach Mattapan square, and at the same time to reach quickly the rapidly building Wellington Hill district and the territory to the south of Franklin Field. Other similar instances of "off center" locations are Engine 16 and Ladder 6 on River street at Milton Lower Mills and Engine 37 and Ladder 25 at Longwood. This latter apparatus might very profitably be moved to the southeast near the junction of Huntington avenue and Tremont street. Before any extensive repairs or alterations are made on any of these houses we advise that the question of relocation be carefully considered.

Effect of High Pressure System and Motor-Propelled Apparatus on Number of Firemen.

The effect of the installation of the high-pressure water system in the down town section on the number of firemen required presents an interesting problem, but one which in our judgment can be answered correctly only after the test of experience. We believe that it is impracticable to consider this factor in determining the necessary number of firemen for to-day and indeed for several years to come, for the decrease in the necessary number, if a decrease is possible, will be so small that it can be taken care of more or less automatically by pensions and resignations as they occur.

On the other hand we are of the opinion that the installation of motor-propelled apparatus will in the long run have a considerable effect on the number of men required. One man released from the care of his horses and thus available for actual fire duty added to some of the companies on a meal period at the present time would make the difference between efficiency and inefficiency.

We are convinced that not only will motor-propelled apparatus eventually have a very considerable effect on the number of men required, but that it will further have a considerable effect on the number of pieces of apparatus required. While there cannot be any material decrease from the present amount of apparatus for several years to come, we believe that with the growth of the city only small periodic increases should hereafter be necessary.

Size of Fire-Fighting Force.

The city is carrying on its pay rolls to-day as a nominal fire-fighting force something over nine hundred men out of a total enrollment of about 1,018 in the Fire Department. A reduction in this nominal number is caused by detachments from various companies of men for duty in the auxiliary branches, the fire-alarm service and the repair shop. The result is that the repair shop is so efficiently manned that it not only fills its auxiliary duty of keeping the apparatus in shape but finds time to build new apparatus, and the fire-alarm office has on duty a number in excess of

that required in other cities where the amount of work is about the same. Various other more or less temporary details for repair work further reduce the efficient strength of the fire-fighting force. We are of the opinion that with a very few exceptions these detailed men should he returned to duty with the fire-fighting force, and that as men are required for the efficient working of the fire alarm and repair shop they should he employed as such, without drawing from the fire-fighting force.

The Fire Department should be relieved of certain duties now imposed upon it which have no connection with the fire service. Among these are the winding and the care of thirty odd public clocks, the painting of hydrants and the flushing of streets. These duties decrease the efficiency of the force.

Each engine company should have one engineer and two assistants, each competent and licensed to take charge of the engine. This would not entail any expense upon the city, as assistant engineers receive the same salary as laddermen and hosemen, while it would greatly relieve the practice of detailing men from one company to another.

The problem of efficiently manning the apparatus necessary to protect the city may he solved hy properly distributing and equalizing the present force without any suhstantial increase. Indeed, it is conceivable that 100, or even 150, men could be added to the department without making their presence conspicuous and without adding greatly to its efficiency as at present organized.

An ideal department would have an equal and constant numher of men on duty during each hour of the twenty-four. Such a result can be ohtained only hy maintaining two equal shifts. While we hold to the present system the number of men on duty at night will always surpass the numher of men on duty at meal hours during the daytime. The prohlem is to keep the apparatus efficiently manned at the time of the greatest weakness without unduly enlarging the number of men, as at present organized many of the companies are undermanned at one period and overmanned at another.

The plan we suggest involves some possible sacrifice on the part of the memhers of the department. We helieve they will cheerfully give their cooperation and willingly assume the sacrifice where the result will show such a manifest advantage to the department itself in whose welfare the men justly take the deepest pride. Indeed, with the adoption of the plan outlined it will he possible to allow each man additional time to be spent with his family without detriment to the service.

The National Board of Fire Underwriters in its last report on Boston's department made recommendations as to what it helieved to he an efficient minimum to man the various pieces of apparatus. As an alternative for the maintenance of this minimum the Board recommended that the present chemical companies he enlarged in numhers and he equipped with automohile apparatus for service as auxiliary companies.

We believe that hoth recommendations may he profitably adopted and without increasing suhstantially the present force. At present eleven and one quarter hours of each day are given over to meals. The meal periods of one and one-fourth hours each are coupled in groups so that each group consumes three and three quarter hours. By spreading the groups into five hours each, or a total of fifteen hours per day, the minimum of men on service during the meal hours will be increased so that every company will be at all times efficiently manned. The change will require the men to begin their meal periods at 6 a. m. and continue them until 9 p. m., as against the present method of heginning at 6.45 a. m. and ending at 8.30 p. m. Any inconvenience that this early hreakfast hour may cause may he minimized by a rotation of meal periods so that one group of men will go on that period for one month and another group another month, with the result that no one group will have this early hour more than one month out of every four or five. The inconvenience of the last evening period may he very properly offset without loss of efficiency by a daily change and allowing the men to remain away from quarters from 7.45 until 10.30 or 11 p. m. This would give every man one evening at home between days off.

Furthermore, the saving to the city of the salaries of extra men to do the same work will go a long way toward providing an increase to the present salary rate which has remained unchanged for nearly twenty-five years. In fact it is not inconceivahle that even with a salary increase it would be cheaper for the city when the matter of pensions is taken into account.

Coupled with the change in meal hours is the proposed change in the distrihution and character of apparatus. The proper protection of the city requires the maintenance of a large numher of apparatus units, so distrihuted that a small numher of these units can reach any point within a short time and a larger number within a reasonably short time thereafter. It is also necessary that each of these units should be manned at all times hy a force sufficient for independent action. In view of the faet that it is seldom that any considerahle numher of the units are in operation at one and the same time it is only necessary that each unit have constantly on duty the force necessary for independent action at a large majority of fires. In order to provide against the extraordinary fires certain additional units may he created, each capable in itself of either independent action, or of cooperation with and augmentation of the efficient minimum manning the other apparatus. Each of these additional units will cover a territory considerahly greater than that covered hy any of the present apparatus.

Every engine and ladder company will then be at all times efficiently manned for independent action and from six to twelve men as a minimum will in addition he availahle at every first alarm fire for either independent or auxiliary duty.

This plan includes both recommendations of the National Board of Fire Underwriters and is with the proposed changes in apparatus worked out in detail in Appendix 3.

In view of the foregoing we do not advise any increase in the numher of the present fire-fighting force other than the filling of existing vacancies and the employment of such reserve force as may be found necessary to keep filled temporary vacancies caused hy injury, sickness or special leave.

Reserve Force.

It is desirable that a reserve force be maintained against disaster that may incapacitate a large numher of men or to fill vacancies at times of vacations or illness that may lower the numbers beyond the point of efficiency.

Such reserve force may be made up from the civil service list of eligihles in a manner analogous to the practice followed by the postmaster of Boston in providing for reserves during vacations and the holiday season. From such reserve men regular men should he appointed as vacancies occur. Gains to the department follow not only in having such a force to call upon in time of need, hut from the fact that regular men may thus be drawn from those who have already had some experience as firemen. The size of such a reserve force should he determined by the Fire Commissioner after the working out of a plan such as has been tested in the post office. See Appendix 4.

Changes in Types of Apparatus.

We are of the opinion that without loss of effectiveness the present ladder companies 8 and 14 located in Fort Hill square may he comhined into one company. Each covers practically the same territory. A motor-propelled 85-foot aerial truck, equipped with proper and sufficient ground ladders, similar to the motor-propelled aerial truck at Springfield, would fulfill all the requirements of the two companies and the location of a motor-propelled comhination chemical in the same quarters would add largely to the efficiency of the in-town department. Other changes in apparatus recommended appear in Appendix 2.

Conflagration Hazard.

We can add hut little to the excellent recommendations of the Boston Chamher of Commerce report on this matter except that it is our opinion that the construction of third-class buildings should he prohihited not only within this city but also within adjacent territory in the metropolitan district. We also helieve that the conflagration hazard in the present huilt-up suhurhan sections would he minimized hy the requirement that all roofs be of some noninflammable material.

Carelessness and Evasion of the Laws.

At the present time the enforcement of laws and ordinances relating to the protection of life and property from fire and explosives is scattered

through many departments of the state and city. Permits for the transportation, sale, use or storage of one kind of explosives are issued from one office, for another kind from another office, while licenses to operate under the permits come from still other offices.

In the last analysis the Fire Department is better qualified to pass on these matters and the most interested in the enforcement of laws and ordinances relating to them. We are of the opinion that all such laws and ordinances should he codified and amended to the end that the Fire Department have entire control over the permits and licenses and the making of reasonahle regulations for the transportation, sale, use or storage of explosives or highly inflammable suhstances and initiatory power in the enforcement of laws, ordinances and regulations.

Reasonahle fees may be charged for such licenses or permits and similar licenses or permits should he required for the use or operation of certain other trades likely to cause fire.

These fees and the moneys accruing from fines from violations of ordinances relating to them might well go to a pension fund for the Fire Department. New York has some such system.

The entire work of revising, redrafting, codification, fees, etc., is so great as to warrant a special commission which should draft suitahle laws.

In conclusion we wish to express our appreciation of the valuable assistance rendered the commission by the secretary, Mr. Harry A. Gilman.

Respectfully suhmitted,
COMMISSION ON FIRE PREVENTION,
FRANCIS M. CARROLL,
Chairman.
C. H. BLACKALL,
Nominated hy Boston
Chamber of Commerce.
JOHN W. DECROW,
Nominated by United
Improvement Association.

November 9, 1911.

The question of the extension of the fire limits to include the whole city is now a subject of earnest, serious discussion on the part of trade unions, various commercial and other organizations, and is also being debated hefore the City Council. It involves a complete revolution of the whole building question with as sincere and earnest men in opposition to the drastic measure proposed as are found advocating the change. I cannot approve at this time the remedy proposed with the uncertainty as to the actual increased cost, which must of necessity all come upon the rent payer, without a thorough and exhaustive discussion of every phase of the matter. Until this period of hysteria has passed and the atmosphere is somewhat clearer upon this suhject, I cannot subscribe to any recommendation except one which would cover the question of noninflammable roofs.

With this single exception I am in hearty accord with the recommendations of the commission.

WILLIAM H. O'BRIEN,
Representing Boston Central Labor Union.

(Annexed were appendixes.)
Referred to the Executive Committee.

PLAYGROUND WARD 7.

The following was received:

City of Boston,
Office of the Mayor, November 7, 1911.

To the City Council:

At your meeting of June 26, 1911, I recommended the passage of an order transferring the unexpended halance of an appropriation for a playground in Wards 7 and 9, amounting to over $16,000, to the appropriation for a playground in Ward 7. This order, I am informed, was referred to the Finance Committee and from that committee to the Executive Committee, which now has it under consideration. The accompanying communication from the chairman of the Board of Park Commissioners requests early action on the transfer, and I respectfully urge your honorahle hody to take up the matter as soon as may be convenient and consolidate this remnant of an appropriation, which is of little value standing by itself, with the appropriation for the Ward 7 Playground, which needs this addition in order to provide a suitable site.

Yours very truly,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Board of Commissioners of the
Department of Parks,
November 4, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,— You will remember that we have asked lately that an unexpended balance of about $16,000 originally appropriated to he spent in Wards 7 and 9 be so transferred that we may expend it on the purchase of playground in Ward 7. This was reviewed at a meeting that our Board had with you and the Council, and it did not seem as if anyhody ohjected, hut the transfer has not been made and our purchases have been held up in consequence. Will you kindly give it your attention and get the transfer made if it can be properly done?

Yours truly,
ROBERT S. PEABODY, Chairman.

Referred to the Executive Committee.

HIRING OF GOODWIN ESTATE—VETO.

The following was received:

City of Boston,
Office of the Mayor, November 1, 1911.

To the City Council:

I return herewith, without my approval, the order passed by your honorable body at its meeting of October 16, authorizing the Superintendent of Public Grounds to hire for playground purposes during the current year the Goodwin estate on Carolina avenue, Jamaica Plain, and to pay therefor the sum of one dollar ($1) and the taxes for the present year, charging this amount to his own appropriation. The Superintendent of Public Grounds, in a communication attached hereto, gives the reasons which seem to me satisfactory for disapproving this order.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Puhlic Grounds Department,
October 18, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—In regard to the inclosed order of the City Council, dated October 16, 1911:

"That the Superintendent of Public Grounds be authorized to hire for playground purposes during the current year the Goodwin estate on Carolina avenue, Jamaica Plain, and to pay therefor the sum of $1 and the taxes assessed on said estate for the present year, the amount so paid to he charged to the appropriation for Public Grounds Department."

I would say that while it has been the custom to pass orders of this description for many years, I think a correction should he made, as rented playgrounds should be placed under the supervision of the Department of Parks which has charge, practically, of all the city playgrounds and the proper facilities for conducting them.

Very truly yours,
D. H. SULLIVAN, Superintendent.

Referred to the Executive Committee.

REPORT ON RANDIDGE FUND EXCURSIONS.

The following was received:

City of Boston,
Office of the Mayor, November 7, 1911.

To the City Council:

I transmit herewith a communication from the Penal Institutions Commissioner, inclosing a report from the official in charge of the Randidge Fund excursions during the season of 1911.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Penal Institutions Department,
October 1, 1911.

To His Honor the Mayor:

I transmit herewith the report of Mr. William A. Boudrot, official in charge of the Randidge Trust Fund Excursions during the season of 1911.

Respectfully yours,
FRED S. GORE, Commissioner.

City of Boston,
Penal Institutions Department,
October 1, 1911.

Hon. Fred S. Gore,
Penal Institutions Commissioner:

Sir,—I respectfully submit my report of the management of the Randidge excursions for the season of 1911.

In the early part of June last I was appointed official in charge by his Honor the Mayor, through you, and immediately started to arrange matters, in consequence of which the excursions began on Thursday, July 6.

Prior to 1909 the Penal Commissioner had charge of the Randidge excursions. In 1909 the late Mayor Hibbard was requested to place the School Committee in charge of the excursions, and after a meeting of several people interested in matters of this kind the change was made.

The director of vacation schools, who was selected to arrange for and take charge of the excursions, was obliged to abandon the Long Island picnic grounds because it was deemed inadvisable to use the Penal Institutions Department steamboat for transportation. Consequently arrangements were made whereby the use of Short Beach, Nahant, was secured and special rates for transportation on the Nahant steamboats. Seventy-two hundred eighty-six (7,286) children were provided for and $2,229.67 expended, a per capita cost of $0.306 for each child. Of the above amount $982 was paid for transportation.

In 1910 his Honor the Mayor appointed a committee of thirteen to take charge of the excursions and on June 18, 1910, they organized as the Boston Children's Outing Committee.

Because of the cost of transportation to Short Beach, Nahant, and its unsuitability as a picnic ground that place was not considered by the committee. The old picnic grounds at Long Island were unavailable for picnic purposes and finally the committee, through his Honor the Mayor, secured the use of Bumpkin Island, where the Burrage Hospital for Crippled Children is located. This establishment, which had not been in use for three years, was generously given by Mr. A. C. Burrage. The island is located in Hull Harbor, between Pemberton and Nantasket Point, the distance from Boston being about ten miles. It covers forty-eight acres of ground, the size of Boston Common, and while there are no trees on the island yet the lower part of the hospital building afforded ample protection from sun and rain.

Through your cooperation with the committee they secured the use of the steamboat "Monitor" to bring the children to and from Bumpkin Island, the preparation of food for luncheons, the erection of swings and tilting boards and labor necessary to make the island suitable for picnic use.

Thirteen thousand three hundred fifty-nine (13,359) children were cared for during the season, an average of two hundred eighty-four (284) each day. One thousand nine hundred sixty-five and $\frac{43}{100}$ (1,965.43) dollars was expended, a per capita cost of $0.147 for each child.

This year Bumpkin Island was secured again, through his Honor the Mayor. We had the use of the entire lower part of the hospital building where every facility for serving lunches, recreation rooms and sanitary accommodations were at hand. Additional water service was extended to the outside of the building so that the children could have drinking water on the playgrounds, thus keeping them from continually running in and out of the building, which had been repainted and put in perfect order. The swing posts and tilts were all painted and furnished with new hooks and bolts in order to make them safe and secure, and they were constantly in use. A ball field with regulation diamond was laid out and constructed and steps were built leading down to the bathing beach. A space for quoit games was also laid out and a double set of games provided for. These additional features were greatly enjoyed by the children.

Miss Bertha Carvel, formerly head nurse at the Burrage Hospital, was engaged to look after the needs of the children and during the season 115 cases were cared for, but I am pleased to state that no serious accident occurred.

FINANCIAL STATEMENT.

Receipts.

Balance from 1910–11	$99 51
One year's interest on fund	2,000 00
	$2,099 51

Expenditures.

Oak Grove Creamery Company, ice cream	$330 00	
National Biscuit Company, cookies	264 28	
McLellan & Brigham Company, peanuts	260 02	
Boston, Jamaica & Cuba Fruit Company, bananas	207 00	
Bertha Carvel, nurse	200 00	
John W. Glawson, wharfinger and teamster	100 00	
William J. Graham, clerical services	100 00	
National Fruit Product Company, lemon juice	97 70	
J. C. Talbot Company, peanut butter, flour, sugar and lard	73 98	
Globe Paper Company, bags	38 85	
Hingham Water Company, water	31 64	
Independent Ice Company, ice	19 13	
House of Correction, lumber, etc.	17 80	
W. A. Boudrot, carfares and telephone tolls	11 50	
Jones, McDuffee & Stratton Company, mugs	8 40	
Wright & Ditson, baseballs	6 00	
Boston Plate & Window Glass Company, glass	4 56	
S. A. Neill, medical supplies	2 82	
Hopkinson & Holden, brooms	2 50	
Harrington, King & Co., sister hooks	2 00	
C. U. Thomas & Co., oil cloth	1 85	
Dana Hardware Company, toilet supplies	1 02	
Maynard & Duncan, padlock	30	
		1,781 35
Balance		$318 16

RANDIDGE EXCURSIONS, 1911.

July	6.	St. Joseph's Church, West End	330
"	7.	Boylston Church, Central Church, Jamaica Plain; Congregational Church, Roslindale; Second and Central Churches, Dorchester and Baker Church, East Boston	293
"	8.	Sacred Heart (Italian) Church, North End	348
"	10.	St. Stephen's Church, North End	289
"	11.	Congregational Obel Jacob, East Boston	381
"	12.	St. Vincent's Orphan Asylum and Home for Destitute Catholic Children	370
"	13.	Federated Jewish Charities (General)	332
"	14.	Highland Church, Union, Walnut Avenue and Eliot Churches, Roxbury; Shawmut Congregational Church, South End and Romsey Church, Dorchester	388
"	15.	St. Leonard's Church (Italian), North End	357
"	17.	Roxbury, Field's Corner and Shawmut Avenue Rescue, Boston Baptist Bethel and Trinity Methodist Church, Charlestown	336
"	18.	St. Peter and Paul's Church, South Boston	336
"	19.	Peckham's Neighborhood Party, South End	300
"	20.	St. Thomas's Church, Jamaica Plain	317
"	21.	Deaconess Home and Tremont Street Methodist Episcopal Church	337
"	22.	St. Mary's Church, Dorchester Avenue	204
"	24.	Federated Jewish Charities (General)	304
"	25.	Immaculate Conception Church, South End	308
"	26.	Boston Children's Aid Society and the Merrimac Mission	397
"	27.	Our Lady of Lourdes, Jamaica Plain	312
"	28.	Excursion omitted on account of rain	—
"	29.	Sacred Heart (Italian) Church, North End	320
"	31.	Hebrew Association, South End	305
Aug.	1.	St. William's Church, Dorchester	268
"	2.	St. Mary's Church, North End and Ladies' Catholic Club, Cathedral	452
"	3.	St. John's Church, Roxbury	315
"	4.	Trinity Church, West Roxbury; Zion's Church; Swedish Mission, Boston; Immanuel and Norwegian Churches, East Boston; Norwegian Church, Roxbury; Martin Luther Orphan Home	290
"	5.	Robert Gould Shaw House, Charles Street Methodist Church and Twelfth Baptist	210
"	7.	Excursion omitted on account of weather	—
"	8.	Federated Jewish Charities (General)	350
"	9.	St. Francis de Sales' Church, Charlestown	378
"	10.	St. Augustine's Church, South Boston	489
"	11.	Church of our Lady Pompeii, South End	295
"	12.	St. James' Church, Harrison Avenue	318
"	14.	St. Catherine's Church, Charlestown	347
"	15.	Federated Jewish Charities (General)	436
"	16.	North End Playground	355
"	17.	Daly Industrial School, Dorchester	134
"	18.	Phillips Church, South Boston; Meridian Street Methodist Episcopal, East Boston and New England Home for Little Wanderers	379
"	19.	Combination Vacation School Playgrounds	347
"	21.	No Randidge excursion	—
"	22.	Sacred Heart Church, East Boston	443
"	23.	Salvation Army	267
"	24.	Federated Jewish Charities (General)	330
"	25.	Bunker Hill Boys' Club, Charlestown and St. John's Episcopal Church, Charlestown	219
"	26.	Excursion omitted on account of rain	—
"	28.	Church of the Assumption, East Boston	304
"	29.	St. Mary's Church, Charlestown	286
"	30.	Holy Trinity Church (German)	206
"	31.	Hancock School Playground, North End	172
		Total number of children carried on excursions	14,454

DAILY PROGRAM.

The steamboat "Monitor" sailed daily except Sunday, at 9 a. m. and arrived at Bumpkin Island at 10.45 a. m.

Bathing from 11 a. m. until noon.

Luncheon at 12.30 p. m.

Baseball, quoits, running races and various kinds of games conducted by attendants from the time of arrival until departure from the island.

Boat left at 3.40 p. m. and arrived in Boston at 5 p. m. Sometimes the department business delayed us on our return, but usually we made schedule time.

One feature of the daily trips, appreciated very much, was the sail up and down the harbor, which consumed about three hours of the outing.

For luncheon each child was given a bag containing six cookies (assorted), two bananas, one pint of peanuts, cake of ice cream and a mug of lemonade. During the afternoon lemonade was served to the children who wanted it. Formerly ice cream was served at 2 p. m., but we found that it was better for the children to have all their refreshments at one serving, thus saving time and labor and giving the children the entire afternoon for recreation.

Forty-nine (49) outings were scheduled and four were abandoned because of rain and fog. The total number of children carried upon the excursions this year was 14,454, an average of 321 each day. One thousand seven hundred eighty-one and $\frac{35}{100}$ (1,781.35) dollars was expended, a per capita cost of $0.123 for each child.

All applications for an excursion were taken care of, although in many cases it was impossible to grant the number of tickets requested as arrangements had been made to care for only 300 children each day. From careful observation it seems to me that this situation could be easily overcome by making a change in the refreshments. I noticed that many of the children, fully 90 per cent, carried lunches, so that our serving of luncheons was unnecessary and in some instances a waste of food. By eliminating this feature of the outings twice the number of children, approximately 30,000, could be given a days' outing without any increase of cost. Ice cream and lemonade could be supplied for all and with the other features obtainable, I believe that a much larger number of the children of Boston would be benefited and enjoy a satisfactory day's pleasure.

I desire to express my thanks to all who helped to make these excursions successful. I am deeply grateful to Mr. James H. Cronin, Master of the House of Correction and his assistants for the invaluable aid rendered by his department; to Capt. Fred D. Cook and assistants of the steamboat "Monitor" for their kindness and patience; to the Bath Trustees who furnished a life guard and bathing suits; to the Police Commissioner who furnished an officer and to the Superintendent of Printing for work done in our behalf.

Yours respectfully,

WILLIAM A. BOUDROT,

Official in Charge of Randidge Excursions.

Placed on file.

REPAIR OF MONUMENT, THOMAS PARK.

The following was received:

City of Boston,
Office of the Mayor, November 1, 1911.

To the City Council:

The report of the Superintendent of Public Grounds for 1910 contains a paragraph relating to the condition of the monument on Dorchester Heights. The superintendent states that "the monument needs a general repointing and repairing as there are many visible and long, open spaces in the mortar joints between the marble blocks." The accompanying letter from Mr. John J. Toomey, editor of the South Boston *Gazette*, reiterates the need of repairs on this monument, and the Superintendent of Public Grounds included in a letter of March 7, transmitted to your honorable body and read at its meeting of August 22, an estimate of three thousand dollars ($3,000) for these repairs. I recommend, therefore, the passage of the accompanying order, appropriating three thousand dollars ($3,000) from the Reserve Fund for repairing the monument on Thomas Park.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

The South Boston Gazette.
South Boston, October 30, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Some time in the latter part of September I received from your office a letter in answer to my appeal that some attention be given immediately to the Dorchester Heights Monument on Thomas Park. It was stated that you had conferred with the Superintendent of Public Grounds and in your letter I was requested to confer with Mr. Sullivan.

Superintendent Sullivan very promptly acknowledged my letter of October 6 and my detailed statement to him containing the very important needed repairs to the monument. I personally secured the services of an expert mason to look over the monument, and the report was that a great deal of repointing is necessary, which must be done well; that is, to completely fill in the crevices between the blocks of marble, and not only on the outer part; also, that there is needed a cement floor at the upper part of the monument to prevent the damage caused by the rain pouring in and down through the monument.

My attention was called by Superintendent Sullivan to his efforts to have the city government appropriate $3,000 for necessary repairs on the monument and that the whole solution of the problem depends upon the securing of a special appropriation of $3,000 to remedy all the trouble.

For the good name and honor of the City of Boston and in keeping with the written promise made to the Commonwealth of Massachusetts in 1899, "that the City of Boston will care for and maintain in good order, for all time, monument and surrounding grounds," I trust that you will give this your personal attention to the end that the monument may be put in proper condition and not to continue the butt of criticism and remarks of visitors from all sections of the country who visit Thomas Park. Personally I do not know where $3,000 could be expended, but I do know that if the work is done now, before the cold and wintry weather sets in, the expense will be many hundreds of dollars less than it will require if there is further delay and neglect until next spring.

There is imperative need of much repointing and the laying of a cement floor. That should be done now. It would much improve the interior appearance of the monument if the iron stairway and walls of the shaft were freed from the rust and dirt that has accumulated. If there is no immediate provision for this, it might wait until spring.

Respectfully yours,
JOHN J. TOOMEY.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of three thousand dollars ($3,000) from the Reserve Fund to an appropriation to be expended under the direction of the Superintendent of Public Grounds for Thomas Park, Repairing of Monument.

Referred to the Executive Committee.

TRANSFER FOR CIVIL COURT.

The following was received:

City of Boston,
Office of the Mayor, November 13, 1911.

To the City Council:

I transmit herewith a communication from the clerk of the Superior Civil Court, requesting that the sum of three thousand dollars ($3,000) be transferred to his department for clerical services. This request requires action by the City Council and I await an order passed by your honorable body in the usual manner.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Commonwealth of Massachusetts,
Superior Court,
Clerk's Office, Suffolk County,
Boston, November 6, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—I respectfully ask that the sum of three thousand dollars ($3,000) be transferred from some appropriation to this office, to be used for the purpose of paying the salaries of extra clerical hire.

Respectfully,
FRANCIS A. CAMPBELL, Clerk.

Referred to the Committee on County Accounts.

APPROPRIATION FOR CONVENIENCE STATIONS, ETC.

The following was received:

City of Boston.
Office of the Mayor, November 11, 1911.

To the City Council:

In my message to your honorable body, dated October 16, 1911, on the subject of improvements in the smaller parks, I recommended an appropriation of twenty thousand dollars ($20,000) from the income of the Parkman Fund, for convenience stations, bubble fountains and other improvements in the public parks and squares. On further consideration it seems to me that this amount should be increased by five thousand dollars ($5,000), and I beg to withdraw the earlier orders relating to this subject and substitute the accompanying order, which I recommend for passage.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That the sum of twenty-five thousand dollars ($25,000) be and hereby is appropriated from the income of the Parkman Fund for the present year, to be expended under the direction of the Superintendent of Public Grounds for convenience stations, bubble fountains and other improvements in the public parks and squares.

Coun. KENNY—Mr. President, in connection with that order from the Mayor I would like to state that the sum was increased by the Mayor from $20,000 to $25,000, in order to meet the recommendation of the Superintendent of Public Grounds in the matter of providing convenience stations in various parks that come under the Parkman Fund distribution, and I hold here in my hand a communication from the Superintendent of the Public Grounds Department, outlining just how this money is to be apportioned. I would like to have that order placed on its passage at this time, and to file this communication from the Superintendent of Public Grounds and have it put in the record.

President COLLINS—Does the Chair understand that the member moves a suspension of the rule?

Coun. KENNY—Yes ——

The rule was suspended and the question came on the passage of the order.

Coun. KENNY—And I would ask to have the communication from the Superintendent of Public Grounds printed in the record with the order.

Coun. SMITH—Mr. President, I ask as a matter of information whether these parks all come under the terms of the Parkman will?

Coun. KENNY—I so understand, Mr. President.

President COLLINS—The Chair understands that the Committee on Parkman Fund recommends that in a report, does it not?

Coun. KENNY—The committee recommended the passage of an order for $20,000 with the under-

standing that the Mayor should be requested to increase it to $25,000. He having done so the committee, of course, would now be in favor of the $25,000.

Coun. SMITH—Mr. President, I should like to amend the order in a way that I think will not affect it at all—that is, to have it apply to those parks on the list that come under the Parkman Fund. I understand from what Coun. Kenny says that it will not affect the order in any way.

Coun. KENNY—Mr. President, I have submitted to the Council a communication from the Public Grounds Department in which they send out their desires in the matter of this apportionment, covering specific places in various parks coming under the Parkman Fund. That was after conference with and at the request of the Committee on Parkman Fund.

Coun. SMITH—Mr. President, I would like to have the list of parks read.

The Clerk read the communication from the Superintendent of Public Grounds, as follows:

City Proper.		
Fort Hill square, one convenience station	$650 00	
Blackstone square, one convenience station	650 00	
Massachusetts avenue, one convenience station	650 00	
		$1,950 00
Brighton District.		
Brighton square, one convenience station		650 00
Charlestown District.		
City square, one convenience station	$650 00	
Sullivan square, one convenience station	650 00	
Winthrop square, one convenience station	650 00	
		1,950 00
Dorchester District.		
Meeting House Hill, one convenience station	$650 00	
Meeting House Hill, one bubble fountain	125 00	
Meeting House Hill, walks and regrading	3,000 00	
		3,775 00
East Boston District.		
Central square, one convenience station	$650 00	
Maverick square, one convenience station	650 00	
		1,300 00
Roxbury District.		
Longwood park, one convenience station	$650 00	
Madison park, one convenience station	650 00	
Madison park, one bubble fountain	125 00	
Madison park, regrading and walks	5,000 00	
Washington park, one convenience station	650 00	
Washington park, walks and drains	3,500 00	
		10,575 00
South Boston District.		
Independence square, one convenience station	$650 00	
Thomas park, one convenience station	650 00	
Thomas park, repairs on monument	3,500 00	
		4,800 00
Total amount		$25,000 00

Coun. SMITH—Mr. President, I, of course, have not checked this list off at all. I presume these all come under the Parkman will, but I should be doubtful about some of them without looking the matter up. Therefore, I trust that the amendment I suggest will be incorporated in the order—that is, that the money be expended for convenience stations in parks that come under the terms of the Parkman will. The only reason why I urge this is that it is obvious that we ought not to expend Parkman money for parks that do not come under the terms of his will. I am heartily in favor of all these improvements and would vote for them, where necessary, to be made by transfer from the Reserve Fund. But it seems to me that we ought not to vote for them out of Parkman money except in places that come properly under the terms of the Parkman will.

President COLLINS—The Chair will state that the city could not and would not expend money received under the Parkman will for any other purpose and that the City Auditor would not honor the drafts. It seems to me that the amendment offered by the councilor is in the nature of surplusage, but I shall put it if the councilor urges it.

Coun. SMITH—I should urge it, Mr. President.

President COLLINS—You move as an amendment that the money be only expended on parks which were in existence at the time of the execution of Mr. Parkman's will. Is that the motion?

Coun. SMITH—It is.

Coun. KENNY—All this, Mr. President, merely involves the work of the committee. The committee very carefully took this matter up and consulted with the Superintendent of Public Grounds, and the list here represents his best judgment in the matter. He was asked to indicate or outline the places in Boston, coming under the terms of the Parkman will, that especially required attention, and he has done so. He has pointed out the places where the money, according to his best judgment, is most needed. It seems to me that it is not now quite the proper thing, in view of that fact, when the matter comes from the committee by unanimous vote, to involve it further by an amendment of this kind. Of course this money comes out of the Parkman Fund, and of course it is to be expended only in qualifying parks. Otherwise the order would have no effect.

Coun. Smith's amendment was declared rejected by a rising vote, 3 to 3, and the question came on the passage of the order as submitted.

Coun. BUCKLEY—Mr. President, I should like to ask if these appropriations, or whatever they are, contemplate convenience stations overground rather than underground?

Coun. KENNY—Mr. President, these stations would ordinarily not be underground, because an underground station costs about $14,000. We have in the Parkman Fund to-day about $35,000, and the committee thought, a great deal of the money having been spent on the Common and for the aquarium and zoo, that some money should now go to the smaller parks that have not heretofore shared in the distribution. They submitted to the Superintendent of Public Grounds a request that he indicate where $25,000 could be spent advantageously, and this all followed the communication from that department last spring, which is on file, recommending improvements in various of these parks at a cost of about $82,000. We did not have that much money, and the Mayor himself recommended that a portion of the Parkman Fund might very well be expended in this way. We thought the Superintendent of Public Grounds should outline just where the money should be spent, and that has been done. What is proposed will do very well for the time being in

the places recommended, but the order does not cover sufficient money for underground stations.

Coun. BUCKLEY—Mr. President, I am not opposed to this, in fact I am in favor of it. The only objection I might raise is this: Take Winthrop square, Charlestown; that is in a very nice residential section and a number of young children go there to play. Unless there were proper supervision, somebody to take care of such a place all the time, you don't know just what might happen. With people going in and out of convenience stations, with their clothing not properly arranged, it might not be a proper thing to have children around. So far as the people of Charlestown are concerned they would be all right, but you know a lot of people from other sections go back and forth through there.

Coun. KENNY—Mr. President, I had the assurance of the superintendent that the matter of location and all such matters would be properly and carefully considered.

Coun. SMITH—Mr. President, some time ago the Parkman Fund Committee suggested the extension of a pipe to Castle Island costing $3,000. I objected on the ground that Castle Island did not come under the Parkman will. The Corporation Counsel was asked by this body to give his opinion and he upheld that stand. That is, the Corporation Counsel said that we had no right to spend that $3,000 for that purpose. I do not feel positive from what Coun. Kenny has said that we are free to spend the Parkman money in all the places he has designated, for instance, in City square, or a number of these small squares which are not parks in the strict sense of the word. I don't know. I am just asking for information whether all these places do actually come under the Parkman will. He has given his best information that they do. I am wondering just who gave him the information and whether it has been actually checked up or not, or whether it might be a case like the Castle Island case, where the Parkman Fund Committee made a slight mistake.

Coun. KENNY—Mr. President, under the law these appropriations must now originate with the Mayor. The Castle Island item was one of a number that came from the Mayor by way of recommendation. If Castle Island turned out subsequently to be not one of the qualifying parks, the money could not be spent on that park. I cannot see why the member from Ward 11 should stand up here and make the statement he has unless he has a foundation for it. If he has any such foundation, I am perfectly willing that the matter should lie on the table or be assigned, being taken up later. But he certainly has no right to make such a statement as he has unless he has some information that will warrant it. The superintendent says that these are all qualifying parks. What more does he want? I have stated that in good, clear English.

The order was passed, yeas 7, nays 0.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Petitions were received, as follows:

Ella O'Connell, for compensation for damage to clothing by street mud and oil.

William H. McNamara, for compensation for damage to the clothing of his minor child, Joseph, by street mud and oil.

Alonzo E. Yont, for compensation for damage by the stoppage of a sewer at 11 Faxon street, Dorchester.

Mrs. George Still, for compensation for damage to property by leak in water pipe at 31 Cunard street.

Elizabeth A. Dodge, for compensation for injuries caused by a fall in front of 75 F street.

M. H. Gulesian, for compensation for breaking of glass by a wagon of the Sanitary Division.

Emilia Graziano, for compensation for damages by bursting of a sewer at 67–69 Hale street.

Patrick Murray, for compensation for injuries received while employed in the Public Works Department.

Daniel A. Healy, for compensation for damage to clothing by a projection from a telephone pole on Elm street.

Francis Juggins, in behalf of Ernest J. Channell, a minor, for a hearing on claim on account of injuries to said Channell by a workman of the city.

Horace A. Geyer, for compensation for damages caused by a defective drain at 11 Sutton street.

Executive.

A petition was received from Andrew L. Bixler for a permit for children under fifteen years of age to appear at Oakland Hall on the evening of November 16.

Petitions for leave to sell, rent or lease firearms at various places, viz.:

Moe Cohen, 37 Fleet street, Ward 6.

Endicott Street Loan Company, 3 Endicott street, Ward 6.

Levine Brothers, 11A Essex street, Ward 7.

S. L. Diab, 743 Washington street, Ward 7.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted by the Secretary of the Commonwealth were received.

Placed on file.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the constables' bonds of Henry W. Cowles and David Schapero.

Placed on file.

STORAGE OF EXPLOSIVES.

Communications were received from the hereinafter named persons of the storage of explosives at the following-named places, and of intention to use said places for the ensuing year, viz.:

A. W. Cox & Co., 601 Commercial street.

W. A. Frederick Company (formerly Allen Woodle), 107–109 West Brookline street.

Massachusetts Institute of Technology, 26 Trinity place.

Joseph S. Donovan Company (formerly Peerless Motor Car Company of New England), 36 Ferdinand street.

W. A. Narlor, 2 Schuyler street, Roxbury.

RAILROAD POLICE.

Notice was received from the Police Commissioner of the appointment of J. T. Killion as railroad police officer on the New York, New Haven & Hartford Railroad Company.

Placed on file.

STREET RAILWAY LOCATIONS.

A copy was received of the order of the Street Commissioners granting an extension of the time to the West End Street Railway Company on the 330th location.

Placed on file.

Copies were received of orders of the Street Commissioners granting track locations to the West End Street Railway Company, viz.:

On Seaver street, Humboldt avenue and Walnut avenue, 364th location.

On Talbot avenue, 365th location

On Tremont street and Columbus avenue, 366th location.

On Main street, Charlestown, 367th location.

Severally ordered printed as city documents, and placed on file.

NOTICE OF HEARING.

Notice was received from the Railroad Commissioners of hearing on November 22 on petition of Boston & Eastern Electric Railroad Company for approval of modifications of route in Boston, etc.

Placed on file.

APPROVAL OF CHANGES.

Notices were received from the Railroad Commissioners of approval of proposed changes by Boston Elevated Railway Company at Dudley

Street Station, as shown on Plans 27588 and 27589, and of approval of changes at Dover Street Station as shown on Plan 28245.

Placed on file.

COURTHOUSE, ETC., CHARLESTOWN.

Office of Public Buildings Department,
November 8, 1911.

The Honorable the City Council:

Gentlemen,—In response to the request of the City Council of October 30, 1911, for a report in relation to an order that eighty thousand dollars ($80,000) be appropriated and expended for new combination courthouse and police station in Charlestown, I wish to advise you that, acting on instruction of his Honor Mayor Fitzgerald, on April 13, 1911, I made a thorough examination of the present old City Hall building which is used as a district court, police station and branch library, with Mr. James E. McLaughlin, the architect, to determine whether or not it would be advisable to reconstruct the same for suitable quarters for a combination courthouse and police station.

We both are of the opinion that it would not be practicable to reconstruct the present old building on account of the cost of same, and that it would be much more desirable to erect a new three-story building and basement of first-class construction on the present site; the basement to contain boiler room, coal pockets and storage hall; the first floor to be used for quarters for police station, cell room, etc.; the second floor to be taken up with main court room, juvenile court, offices for the judge and various court officers; the third floor to be devoted to dormitories and locker rooms.

Mr. McLaughlin made a few floor plans which would be suitable for a new building on the present site and I send you herewith blueprints of the same.

This building would cover an area of about 7,000 square feet of land and would cost in the vicinity of $127,000.

Yours respectfully,
M. J. Fish,
Superintendent of Public Buildings.

Referred to Committee on Finance.

MUNICIPAL BUILDING, WARD 7.

The Council granted Coun. Attridge unanimous consent to submit the following letters:

Boston, November 5, 1911.

John J. Attridge,
Boston City Council:

Dear Sir,—As the matter of a municipal building for Ward 7 is still before the City Council for decision, I deem it proper to offer a word in the interest of this important proposition.

My position as pastor of a church in this ward is sufficient reason for my personal interest in a matter so closely related as I believe to the moral welfare of the community.

In regard to Ward 7, its position and character both emphasize the need of an institution such as a municipal building would provide. If such buildings are to be established—as we all admit they should be—where ought they to be placed if not in the heart of the city, where we find concentrated all that makes the city what it is—its crowds, theaters, hotels, saloons and resorts, all representing in various ways its business, its attractions and its amusements, but also unfortunately its vices.

When I think of what the young people are exposed to every day and night upon our streets, I tremble for those whose houses bring them in almost hourly contact with so much that is calculated to demoralize and lead astray in a district like this, which is the common place of meeting for the idle and the vicious from all sections of the city. Anything in the line of wholesome amusement or occupation that will keep our young people off the streets should be encouraged and helped by all who have the welfare and best interests of the city at heart. Moreover, the city that elevates its citizens, protects and strengthens itself.

The cosmopolitan character of the inhabitants of Ward 7 is another reason for establishing here such an institution as a municipal building.

These various nationalities may be molded into a common American citizenship by the influence of a municipal building, and there is no better means for reaching those who are beyond the school age and those who are advanced in life.

Ward 7 and its immediate neighborhood is perhaps the most cosmopolitan district in the city.

I do not wish to trespass upon your time or patience by rehearsing various other reasons that might be given in support of the claims of Ward 7 for special consideration in this matter, but as my profession leads me naturally to the moral aspect of the question, I will content myself with calling that specially to your attention.

I beg to subscribe myself,

Very respectfully yours,
William P. McQuaid,
Pastor St. James Church.

Boston, November 10, 1911.

Hon. John J. Attridge,
118 Malden Street, Boston:

Dear Sir,— We respectfully request your consideration of the following extracts from the minutes of the last meeting of the South Cove Civic Committee, held to consider the matter of a municipal building for Ward 7, which matter is before your Executive Council.

The population of Ward 7 was 11,112 according to the State census of 1905. The population of Ward 7, as determined by the thirteenth census of the United States, 1910, is 14,913, showing an increase of 3,801 in population, an increase of about 35 per cent.

In considering the amount asked for it should be noted that in Ward 7 the city is paying at the present time $720 per year for the use of room on Broadway extension for library purposes, and is also paying $500 per year for the use of the Tyler Street Gymnasium, making a total of $1,220, which amounts to 4 per cent on $30,500.

Both of these institutions would be accommodated in the proposed municipal building.

The school population for the district which would benefit by such a building is as follows:

The population of the Quincy Grammar School (day), 631; Quincy Grammar School (evening), 450; Tyler Primary School, 246; Way Street Primary School, 119; Pierpont, primary and grammar grades, 151; Parochial School, Harvard street, 225; Andrews School, 526; (primary and kindergarten), Winthrop-Brimmer (Abraham Lincoln School), 1,761; Skinner Primary, 280; Warrenton Street Kindergarten, 50.

Statement by Mgr. William P. McQuaid:

"In regard to the future of this district, about which some people have doubts, I believe that we can be guided in this by what has happened in such cities as New York, Philadelphia and Chicago. They have grown more rapidly than Boston and have arrived at a state now in which they have had the experience that we expect to have in years to come.

"The business has surrounded and passed beyond them and still left a large population. Thirty years ago I know that it was freely prophesied with regard to certain churches in the business districts of New York and Philadelphia that they would be entirely wiped out by the inroads of business. To-day those churches are tended by about the same number of clergymen that there were twenty-five years ago.

"With regard to this district, too, twenty-five years ago I was told that this district would probably be wiped out and have no use for St. James Church, but we still have four clergymen attending to the duties of the parish and they have all they can do. Personally, I do not anticipate any sudden change and probably not for forty years to come is there any chance of this district being wiped out by business."

Statement by State Councilor John Quinn, Jr.:

"The tendency in the center of Boston is now to do away with single houses in the South Cove district, as has practically been accomplished in the North and West Ends. In those sections practically all the single houses have been reconstructed into large tenement houses, three and four and sometimes five stories high, and while that has not yet started with any degree of force at the present time, it must naturally come in the future because this ward is as near to the City Hall, to the great center of business, and the State House, as the North and West Ends are and the land is very much cheaper down here and there will be a demand for investors to purchase the small estates here and put

up large dwelling houses. We are more likely to have large dwelling houses than business establishments, for the encroachments of business establishments have been very slow below Essex street during the last thirty years, and from my own personal knowledge, the people who owned houses on Hudson and Tyler streets twenty-five years ago expected at that time that business would encroach, but the property, as a matter of fact, still stands as dwelling houses, and instead of single families occupying them, now three or four families are living in the same building.

"Even though money is expended now, and after twenty-five or thirty years business does encroach, the value of the city property under those circumstances will be very much increased and would be a good investment, as have all other buildings of similar character that have been sold by the city in the past."

Statement by Mr. Frederick W. Swan, Master of the Quincy School:

1. "I desire to call the attention of the City Council to several things; first to the report of the Special Committee on Branch Libraries on May 1, 1911, City Document No. 73, page No. 4.

"Cove District, so called.

"This section of the city is served by the Broadway Extension Reading Room, which is poorly located and has very bad accommodations. The room now used will not accommodate more than sixty persons and is poorly ventilated and is subject to the noise made by the Boston Elevated Railway trains, which pass overhead nearby. The one small room serves both young and old and is very much used and frequented. This place should be abandoned as soon as possible.

"The trustees and the committee believe that a branch building is not necessary for library purposes in this district and agrees that one large, well lighted, suitable room would be sufficient for the needs of this locality, and the trustees, we understand, would not object if a large room were provided in the proposed municipal building for Ward 7."

2. "In a district so congested, and so much in need of means for presenting American ideals to an emigrant population, there are no halls where the people can congregate. There is no wardroom in the district, the former wardroom, or the room used for ward purposes, was taken two years ago to accommodate the increased school population."

3. "The School Department is planning for no diminution in the near future, which is evident from the fact that a four-room building and the Abraham Lincoln School have been erected recently, and that over $80,000 have been expended on enlarging and improving school property in the South Cove within the last three years."

4. "In the same vicinity $25,000 was recently appropriated by the City Council for a playground for the use of the children, thus showing that there is need for it in Ward 7."

Whereas we concede that it may not be advisable for the City of Boston to borrow money for such a building, we earnestly request immediate action in order that the amount desired may be drawn from the funds available at this time, which we understand amount to $500,000.

Yours respectfully,

FREDERICK W. SWAN,
MGR. WILLIAM P. MCQUAIN,
MGR. GABRIEL KORKEMAS,
HON. JOHN QUINN, JR.,
CHRISTOPHER P. MCCAFFREY,
BERTHA HAZARD,
MRS. G. L. TEBBUTT,
DR. J. T. SULLIVAN,
GEORGE W. FOSS,
ANDREW X. ALEXAKIS,
SELIN AYOUB,
DR. ANTONIO DE ROBERTIS,
WILLIAM A. H. CROWLEY,
MAUD W. PARK,
South Cove Civic Committee.

Placed on file.

MINORS' LICENSES.

President COLLINS submitted reports on petitions recommending that minors' licenses be granted to twenty-six newsboys, one bootblack and one vendor.

Reports accepted; licenses granted on the usual conditions.

ANNOUNCEMENT OF COMMITTEE.

President COLLINS announced that Coun. Collins and Ballantyne had been appointed by him on November 10 to be members of the committee to perambulate the boundaries.

WIDENING OF NORFOLK STREET.

President COLLINS called up No. 1, unfinished business, viz.:

1. Ordered, That the sum of one hundred and fifty thousand dollars ($150,000) be and hereby is appropriated, to be expended under the direction of the Board of Street Commissioners for widening of Norfolk street, and that to meet said appropriation the City Treasurer be authorized to issue bonds or certificates of indebtedness of the City of Boston to said amount.

On October 30 the foregoing order was read once and passed, yeas 9.

The question came on the second and final reading and passage of the order.

Coun. SMITH—Mr. President, as I have stated time and time again I am heartily in favor of this matter, but there has been a difference of opinion in the Council as to whether the money for these improvements should come from appropriations or from loans. This is especially true of permanent improvements. It will be noted that this money is to be borrowed, not appropriated, and I sincerely hope that any member of this Council who believes that money should be appropriated for this purpose and not borrowed will vote accordingly to-day. I think the principle involved is one of the big underlying principles which have affected our actions here this year. I have consistently voted in favor of loans and against appropriations when I thought the improvement was a permanent improvement, and I trust that other members who have assailed me in that position with a good deal of scathing criticism will have the strength of their conviction upon this matter. They say that they have been voting as a matter of principle all along, and I hope they will do so to-day, and, if they believe this should not come from loan, that they will vote against it. As for myself, I am very glad indeed to vote in the affirmative on this matter.

The order took its second reading and final passage, yeas 9, nays 0.

BRANCH LIBRARY, CHARLESTOWN.

President COLLINS called up No. 2, unfinished business, viz.:

2. Ordered, That the City Auditor be and hereby is authorized to transfer the appropriation for Branch Library, Charlestown, Estate, and Branch Library, Charlestown, Alterations and Completion, to an appropriation for Branch Library, Charlestown.

On October 30 the foregoing order was read once and passed, yeas 8, nays 0.

Coun. BUCKLEY—Mr. President, I understand the order as it reads at the present time does not put it in the province of the Library Trustees to expend this money. That is what Colonel Benton has said. If that is so, I would like to have action on this matter postponed, in order that that oversight may be corrected.

President COLLINS—If there is no objection, the matter will lie on the table.

President COLLINS also called up unfinished business, No. 3, viz.:

3. Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of thirty thousand dollars ($30,000) from the appropriation for Reserve Fund to an appropriation for Branch Library, Charlestown.

On October 30 the foregoing order was read once and passed, yeas 9.

On motion of Coun. McDONALD, No. 3 was also laid on the table.

Later in the session the following message was received from the Mayor:

City of Boston,
Office of the Mayor, November 13, 1911.

To the City Council:

For the sake of clearness I recommend that the orders recommended hy me at your meetings of May 22 and June 26, relating respectively to the consolidation of two appropriations for a Branch Lihrary, Charlestown, Estate, and Branch Library, Charlestown, Alterations and Completion, and the addition of thirty thousand dollars ($30,000) to the original amount, be passed in the amended draft submitted herewith, which specifically states that the appropriations are to be expended by the Library Trustees.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That the City Auditor be, and hereby is, authorized to transfer the appropriations for Branch Lihrary, Charlestown, Estate, and Branch Library, Charlestown, Alterations and Completion, to an appropriation to be expended under the direction of the Library Trustees for Branch Lihrary, Charlestown.

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor he and hereby is authorized to transfer the sum of thirty thousand dollars ($30,000) from the appropriation for Reserve Fund to an appropriation to be expended under the direction of the Library Trustees for Branch Library, Charlestown.

The question came on the passage of the orders.

President COLLINS—The Chair would state that, in his opinion, in order to be absolutely on the secure side, it is wise that the orders shall take two readings. The Clerk will call the roll to ascertain whether or not the Council is in favor of passing the orders.

The orders were given their first reading and passage, yeas 9, nays 0, and will take their final reading and passage not less than two weeks from to-day.

President COLLINS called up Nos. 2 and 3, above, which had been laid on the table, and on motion of Coun. BUCKLEY the two orders, which had been laid on the table pending the receipt from the Mayor of the message submitting new orders, were indefinitely postponed.

PARKMAN FUND.

Coun. KENNY, for the committee on Parkman Fund, submitted the following:

(1) Reports on communications, messages, etc. —that the same be placed on file, viz.:

Communication from United Improvement Association relative to expenditure of the Parkman Fund (referied last year).

Communication from United Improvement Association in favor of expending Parkman Fund on small parks and playgrounds (referred last year).

Message of Mayor (referred April 14) relative to comprehensive plan for expenditure of Parkman Fund.

Message of Mayor and communications (referred last year) from Park and Public Grounds Departments relative to Parkman Fund.

Reports accepted, said papers placed on file.

(2) Reports on messages of Mayor, orders, etc.— that no further action is necessary, viz.:

Message of Mayor and order (referred October 16) appropriating $20,000 for convenience stations, etc.

Message of Mayor, communications and oider (referred August 22) appropriating $15,000 for convenience stations.

Order (referred last year) to expend portion of Parkman Fund income for improvements at Charlesbank.

Order (referred last year) to expend portion of Parkman Fund income for floats at Charlesbank.

Order (referied last year) to expend $75,000 for music stand, Boston Common.

Order (referred last year) to expend $15,000 for basehall, etc., on Boston Common.

Message and communication (referied April 10) relative to use of portion of Parkman Fund income in Charlestown.

Message of Mayor, communication (referred April 3) relative to expenditure necessary for zoo and aquarium.

Order (referred last year) to expend $10,000 for Charlesbank.

Order (referred last year) to expend $15,000 for music stands.

Message and communication (referred March 20) relative to expenditures for zoo and aquarium.

Message and communications (referred June 26) for additional appropriation for memorial handstand, Boston Common.

Message and communication (referred March 20) relative to appropriation for irrigation at Boston Common.

Accepted.

PLAYGROUND, WARD 19.

President COLLINS called up No. 4, special assignment, viz.:

4. Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor he and herehy is authorized to transfer the sum of forty thousand dollars ($40,000) from the appropriation for Reserve Fund to the appropriation for Playground, Ward 19.

On Octoher 16 the foregoing order was read once and passed, yeas 8, nays 0.

Coun. SMITH —Mr. President, I think this matter was put over until to-day so that I might gain some information that the Council wanted. I have just sent to my office for a letter that I have received, and if the matter is put over until after the meeting of the Executive Committee I will have that letter here and will read it to the Council.

On motion of Coun. CURLEY it was voted that action on No. 4 be assigned to 5.30 p. m., unless sooner reached.

Later in the session the matter was called up by Coun. McDONALD, and the question came to the final reading and passage of the order.

Coun. SMITH—Mr. President, as the one who had this postponed until to-day in order that the Council might gain more information on the subject, I wish to now reiterate what I said at the last meeting. I said then that the district in Ward 19 which had been the prime moving factor in getting the original appropriation of $60,000, under the present scheme of the Park Commissioners for getting an additional $40,000, would only suffer; that that district would then only have a small playground that would cost only $30,000 or $40,000, while the extreme end of the ward, near the Fenway, where a playground is not needed, would get the bulk of the appropriation. That I cannot helieve to he fair, and that is why I voted against the additional $40,000, and that is the reason why I voted against a change in the wording of the $60,000 loan, believing that the section of the ward that needed the playground was the section right around the Mission Church. The people of the St. Alphonsus Association are the people who got this $60,000 through originally, by hringing the matter to the attention of the city authorities, and they are the people who deserve a playground, if anyhody. They should not he crowded out with $30,000 or $40,000, while people at the extreme end of the ward get the hulk of the appropriation, especially when the people in that other section of the ward have playgrounds close by, on the Fenway and Columhus avenue. Perhaps it will be more in point for me to read a letter which I received last week from the St. Alphonsus Association:

St. Alphonsus Association,
80 Smith Strect,
Boston, Novemher 3, 1911.

Mr. Earnest E. Smith,
60 State Street, Boston, Mass.:

Dear Sir,— Your letter of November 1, in reference to the appropriation for a playground in Ward 19 received, and contents noted. In reply would say that a committee from our Association a few years ago was instrumental in ohtaining the original appropriation of $60,000 for a playground on Parker Hill, which would have heen sufficient had the location heen selected.

I understand that efforts are heing made by just one man in our ward, with the assistance of men living in other sections of Boston, to place the playground on land hounded hy Ward, Parker and Halleck streets, or in that vicinity, which is in the extreme end of the ward where there are very few children, and which is within a quarter of a mile of the playground in Ward 10. That is the Fenway Playground.

At a meeting of our Board of Government held last night, they went on record as heing opposed to any increase of the appropriation if it

means locating the playground in the lower section of the ward and request that a location in the vicinity of the Mission Church be selected, where there are four schools, with the attendance of ahout 5,000 children.

Very truly yours,

JOSEPH C. WOODS, President.

It seems to me that further evidence is almost unnecessary, and I submit to this Board that in all fairness they should not have changed the wording of the original loan. I think in authorizing $40,000 more we are simply taking away from them a large part of the benefit of that playground and are really doing them an injustice.

Coun. CURLEY—Mr. President, as I stated at the last meeting it is not the purpose of this Board, or its province, to designate any particular site. It says here in this letter received by Mr. Smith:

"I understand that efforts are being made by just one man in our ward, with the assistance of men living in other sections of Boston, to place the playground on land bounded by Ward, Parker and Halleck streets, or in that vicinity, which is in the extreme end of the ward."

So far as I personally am concerned—and I believe I voice the view of every other member of the Board with the possihle exception of one—I do not feel that it is our place to select a site for the playground. That is purely the province of the Park Commission subject to the wishes of the majority of the people of Ward 19. If the impression has been conveyed to the writer of this letter that it is the purpose of this Board to designate the location of a playground in a certain portion of Ward 19, then the writer of the letter is in error. It is not in our province, even if we should so desire, to state where it should be so placed. That is the province of the Park Commission, and I helieve the Park Commissioners are desirous of locating that playground where, in the opinion of the people of Ward 19, it should be located. I don't feel that any member of this Board is justified in questioning the honesty of any member of the Park Commission or of the commission as a whole. As regards their capacity and patience, they certainly have demonstrated patience in standing up for three years against the wishes of persons who had land for sale in Ward 19 in the vicinity of Parker Hill and desired it placed there, when in the opinion of perhaps a majority of the people of Ward 19 it should he located elsewhere. I want to say that I have ahsolute confidence in the discretion and judgment of the Park Commission and feel that it is the duty of the Board to comply with their request in this matter, since that request is based on a three years' investigation and numerous public hearings.

Coun. SMITH—Mr. President, as I said at the last hearing when this matter came up, technically Coun. Curley is right,—we do not locate the playgrounds; we leave that to the Board of Park Commissioners. At the same time, in this matter the Board has actually involved itself in the location. We changed the wording of the appropriation from "Parker Hill district" to "Ward 19." In doing that we made the first step, involving ourselves in the location of the playground. At the time that was done I told the Board that it meant an additional expense of $40,000 and that it was done hecause the Park Commission could not decide on a location. We have involved this Board in a location of a playground in Ward 19, whether technically we ought to have done so or not. The original loan of $60,000 was for the Parker Hill district and this Board this year changed it to read "Ward 19." Now the people of the Mission Church section are afraid that they are going to lose the henefit of the money voted for their section of the ward. As every man in this Board knows, when we went hefore the Mayor, with the Park Commissioners present, they said they intended to huy two playgrounds and that the one for the hall ground would cost more than $50,000, would take more than half the total loan. That playground, as stated in that letter, and as I have stated to you hefore, is opposite the Wentworth Institute, near the Fenway Playground, within 1,200 feet in an air line of the Fenway Playground. I submit that the bulk of the money should not be spent in that end of the ward. While we have no right to locate this playground, I submit that we are locating it, because we have the say-so about the appropriation. They cannot go ahead and buy two playgrounds if we do not give them this additional $40,000; and if we do give it to them they are going to spend the bulk of the money at the end of the ward towards Ward 10, near the Fenway Playground, a precinct of the ward where there is a very small numher of voters, a precinct that did not move for the original loan; and I suhmit that the section of the ward that moved for the original loan will only get the leavings. They will simply get a small playground for the children. It strikes me as only fair that playgrounds should he located near schools. In the part of the ward that originally moved for this loan, there are schools with 5,000 children. A playground should be situated near those schools. The land near those schools will cost no more than near the Wentworth Institute. Not only that, hut the land near the Wentworth Institute is rising in value faster than the land around the Mission Church, and the city should take land for which there is a less demand for use, for playground purposes, rather than land that is increasing in value. The character of the property back of the Mission Church is not good, is far from good, and the tearing down of some of the old shacks will he a henefit to the neighhorhood; and to have such a playground near schools would make it useful to the children in the schools as well as to the children of the district generally. I sincerely hope that the people who originally got the $60,000 loan will be the ones who will benefit hy this playground.

Coun. HALE—Mr. President, at our last meeting, when this matter was before us, I said:

"Mr. President, in my opinion Ward 19 should have a playground. The Park Commission reported that $60,000 was not enough to give them a playground, and I therefore agreed to vote to increase the amount $40,000. But I agree with Coun. Smith and Curley that those whose wishes should be most considered are the ones connected with the St. Alphonsus Association and the Mission Church, under the circumstances. Coun. Smith says the Mission Church objects to this increase of $40,000, and Coun. Curley says that they are in favor of it. We ought to find out definitely what the situation is in connection with this question. If the St. Alphonsus Association, the members of the Mission Church, are opposed to the $40,000, there must be something wrong with the proposed increase in the appropriation, and I therefore would like to move that the matter be referred to the Executive Committee with instructions to get in touch with the St Alphonsus Association and the members of the Mission Church, getting representatives down here some time in the course of the next week, so that we may find out exactly what the situation is."

That motion was carried and Coun. Smith has got in touch with the St. Alphonsus Association and has produced a letter, which is to the effect that the St. Alphonsus Association, representing as it does the memhers of the Mission Church, is opposed to this increase. I therefore want to say that I am very heartily in favor of Coun. Smith's attitude and hope that this loan will not go through.

The order was passed, yeas 7, nays 2, Coun. HALE and SMITH voting nay.

Coun. HALE—Mr. President, I would like to move reconsideration of that action, hoping the same will prevail. I would like very much to ask the memhers of the Council to realize just what they are doing. In that letter which Coun. Smith has read, if the statements made are true,—and they come from a hody which no one would like to say is in the habit of telling lies, namely, the St. Alphonsus Association,—the money to he spent here is going to he spent in a neighborhood that does not need a playground; and I think it is disgraceful for us to sit here and vote away $40,000 of the city's money when we have the word of an association like the St. Alphonsus Association that the money is going to he wasted. I think it is criminal extravagance and a disgrace to spend the city's money in that way. I think we ought to go very slow—at any rate, put this over a week and not pass it to-day. I hope very much that the previous vote will he reconsidered.

Coun. CURLEY—Mr. President, I feel that there has heen too much stress laid upon this particular letter. It lacks any definite or direct statement upon which either my friend Hale or my friend Smith can take the position they are assuming. I feel that if either of those gentlemen will reread this letter they will realize that

the position they take upon the proposition is not in keeping with the letter itself. The letter itself reads:

"At a meeting of our Board of Government held last night, they went on record as being opposed to any increase of the appropriation if it means locating the playground in the lower section of the ward."

Now, we have no means of knowing that it does mean the locating of the playground in some other section of the ward. Neither have they. They do not go on record against the additional $40,000. They say that if it means the location of the playground in the lower section of the ward they are opposed to it. They do not oppose the $40,000—in fact, want that; and if the $60,000 is not to he diverted from the section for which it was originally advocated, the neighborhood of the Mission Church, they have no objection. We have no means of knowing where the playground will be located, but are simply complying with the request of the Park Commissioners for additional funds. The letter says:

"I understand that efforts are being made," and so on.

It does not say "I know," hut "I understand." So the letter from start to finish contains no direct statement that would warrant any member of the Board in taking a different position from that which has been taken hy the majority of the Board. Certainly there is nothing sufficiently direct in the letter to justify the Board in doing other than as the majority have done.

Coun. SMITH—Mr. President, of course there is a very easy, direct and quick way of finding out where that playground is to he located, hut the Boaid has shown no desire to find out where it is to be located. If you want to find out, why not ask the Pa:k Commissioners? That question was not asked when they were in conference before the Mayor. But the Board does not care where it is to be located, and Coun. Curley has stood up here at two meetings and said that it was none of our business where it was located. Then he gets up here in a very specious way and says there is no way of knowing where it is to be located. He says: "Of course we don't want to take it away from the Mission Church, but we don't know anything ahout it." Now, if this Board really wants to know, I would offer an amendment now to the order, that it be postponed for one week, and requesting the Park Commissioners to come in and report on the matter. But such an amendment is not in order. If the Board is really serious ahout this and wants to know, the matter can very easily be put off for one week and we can visit the Mission Church section or ask questions of the Park Commissioners. But there is no desire on the part of the Board to find out what the commissioners are doing in the matter of the playground. The members were very glad to accommodate Mr. McInerney when he came down here and lobbied with different members of the Board and spoke about the original wording of the order. The original order read "Packer Hill district," and the members were glad to change that. They knew perfectly well what they were doing then. They knew that the change would carry with it a request for $40,000 more. The members of the Board are not sufficiently unintelligent so that they are not aware that the hulk of the money will be spent for a hall ground. Members unfamiliar with conditions in Ward 19 can easily find out what they are. It will take them only a few minutes to get to that section, and they will find that the vacant land is near the Fenway. I have stated — and, regardless of whether the Board considers it or not, it is a fact — that the bulk of the money will he spent hy the Park Commissioners down near the Fenway, away from the Mission Church and the majority of the residents of the ward.

Coun. KENNY—Mr. President, I would say as one member of the Board that Mr. McInerney has not huttonholed me or spoken to me in regard to the matter, nor has anybody else but the Park Commissioners, who stated the situation at the hearing in the Mayor's office. It seems to me that our duty here is quite clear. The Park Commissioners are under the law charged with the duty and responsihility of expending the money, and not the City Council. They say to the City Council that they desire $100,000 for the purpose of meeting the needs of Ward 19. It is up to the members of the City Council, if they wish to be sure of the situation, to go through Ward 19 and satisfy themselves that that is so. But, having done that, it is under the statute the duty of the Park Commissioners to determine where the money shall be spent and how much money is needed. I can very easily see great danger in the Park Commissioners giving out in advance where they intend to buy land. I suppose the very object of the charter is to prevent frauds heing perpetrated upon the city; therefore, they say that the Park Commissioners, as a board of trustees, shall be empowered to expend money where, in their opinion and judgment, it should be spent. That being the case, I don't think it is for the Council to interrogate the Park Commissioners on that point. I want to say again, so far as there being any lobhying here is concerned, that I as one member have not been interviewed by Mr. McInerney or anybody else on this matter.

Coun. BALLANTYNE—Mr. President, I would very gladly vote for reconsideration of this vote if I thought we could get any information from the Park Department in regard to the location of the playground in Ward 19. At the conference in the Mayor's office a few weeks ago I think Mr. Smith was present, but perhaps he did not hear a question that I asked. I asked the Park Commissioners if they would give us any indication of what location they had selected for the playground in Ward 19. They very promptly answered that they had six different locations in view. but that to make public any of the locations at that time would tend to raise the value of the property. For that reason they did not intend to give anyone information as to the locations of the playgrounds. I have every confidence in the Park Commissioners selecting the best sites availahle at a fair pricc for these playgrounds. If I thought for a moment that there was any one man controlling the Park Commissioners for the purpose of selling either his own or any one's else land I would be the last to stand here and vote for that appropriation. But from the talk I have had with the Park Commissioners, both in the Mayor's office and elsewhere, I am satisfied that they have not given out to any one up to the present time their intention as to the location.

Coun. SMITH—Mr. President, I simply want to ask Coun. Ballantyne if he will not tell us the conversations that he has had with the Park Commissioners aside from those in the Mayor's office, on this suhject?

Coun. BALLANTYNE—When the matter came to us first I helieve I asked Mr. Peabody if they had any plans as to the location of those playgrounds. The answer was no, but that they needed two playgrounds there and needed the extra money for them. The question was asked by me in the Mayor's office—and I think the other members of the Council will bear me out in this—if they were willing to give us any indication of the locations in Ward 19, and they stated, as I have said hefore, that they did not think it would he good policy to make these locations known at the present time, but that they had six locations in view.

Coun. Hale's motion to reconsider was declared lost. Coun. HALE douhted the vote and asked for the yeas and nays. Reconsideration was lost, yeas 2, nays 7, Coun. HALE and SMITH voting yea.

CLAIMS.

Coun. BUCKLEY, for the Committee on Claims, submitted the following:

(1) Report on message of Mayor, communication from Fire Commissioner, etc. (referred October 16), relative to claims of members of the Fire Department for compensation for losses sustained in repair shop fire of August 9, 1910—recommending the passage of the following:

Ordered, That there be allowed and paid to William J. Northway the sum of five dollars for loss of clothing at repair shop fire, August 9, 1910; said sum to he charged to the appropriation for Fire Department.

Ordered, That there be allowed and paid to John E. Nolan the sum of $23.80 for loss of clothing at repair shop fire, August 9, 1910; said sum to be charged to the appropriation for Fire Department.

Ordered, That there be allowed and paid to Arthur K. Paradise the sum of $14.30 for loss of clothing at repair shop fire, August 9, 1910; said sum to be charged to the appropriation for Fire Department.

Ordered, That there be allowed and paid to C. F. Curran the sum of $25.65 for loss of clothing

at repair shop fire, August 9, 1910; said sum to be charged to the appropriation for Fire Department.

Ordered, That there be allowed and paid to Thomas W. Kennedy the sum of $4.60 for loss of clothing at repair shop fire, August 9, 1910; said sum to be charged to the appropriation for Fire Department.

Ordered, That there be allowed and paid to D. Calder the sum of $10.25 for loss of clothing at repair shop fire, August 9, 1910; said sum to be charged to the appropriation for Fire Department.

Ordered, That there be allowed and paid to William J. Dower the sum of $106.29 for loss of clothing at repair shop fire, August 9, 1910; said sum to be charged to the appropriation for Fire Department.

Ordered, That there be allowed and paid to E. M. Byington the sum of $357 for loss of furniture, clothing, etc., at repair shop fire, August 9, 1910; said sum to be charged to the appropriation for Fire Department.

Report accepted; orders severally passed.

(2) Report on case of William J. Wilcox *et al.*, trustees, v. City of Boston, recommending the passage of the following:

Ordered, That in accordance with the recommendation of the Committee on Claims the Corporation Counsel be given authority to settle the suit of William J. Wilcox *et al.*, trustees, v. City of Boston, now pending in the Superior Court, for the sum of $10,000 without interest.

The question came on accepting the report and passing the order.

Coun. SMITH—Mr. President, I would simply like to ask the chairman of that committee if he will be good enough to explain the matter, because this is a large amount.

Coun. BUCKLEY—Mr. President, I will simply give the statement as we have it from the Law Department:

"When Columbia road was laid out some land was taken from the plaintiffs for the widening of the street. After the street was constructed it left the plaintiffs with a high bank or small precipice of rock adjoining the road.

"At that time the city was making contracts for crushing rock for the highways and the Street Department desired to get the plaintiffs' ledge as a quarry. At the time of the settlement of the plaintiffs' claim for damages for land taken for the highway a contract was entered into for leasing the plaintiffs' ledge, said contract being dated March 22, 1910, and being for the term of five years. By this contract of leasing the city was to pay the plaintiffs ten cents a ton for whatever stone was taken out and the city also agreed, which was the main consideration of the contract, that it would leave the general surface of the premises not lower than the grade shown by red figures on plan attached and not higher than 3 feet above said grade, and that the city would remove and store in a convenient place for the benefit of the plaintiffs all loam or other filling removed in stripping said ledge.

"At about the time of the expiration of this lease another agreement was made, December 29, 1906, under which agreement the city was to pay 12½ cents per ton for all stone quarried and should have an extension of time of two years and three months for lowering the surface to grade and doing the other work described in the plan and agreement.

"The city for good and sufficient reasons decided not to continue these rock crushing contracts with other people and has removed its crushing apparatus from the plaintiffs' premises and has quarried no rock since 1908, but the city has not left the general surface of the premises in the condition shown by the plan.

"This suit is a suit for damages for breach of the contract, the city not having left the premises in the condition in which it agreed to leave them.

"I had Guy C. Emerson, formerly Superintendent of Streets, and for may years an engineer in the Street Department, examine the premises and he reports that it would cost the city at least $15,000 to do the work which it agreed to do under the contract. I do not think the plaintiffs are damaged as much as that, but I think $10,000 is a low settlement."

And the Committee on Claims had some letters from Mr. Emerson, which I have here, in case you want to have those read. It is simply one of those contracts, a great many of which were made during the municipal campaign of 1906, and a great many of which the city abandoned afterwards, and which they are settling up now. The Law Department has to get the approval of the Committee on Claims in order to settle them up. That is the only interest we have. This settlement is recommended by the Law Department in the usual way to the Committee on Claims.

The report was accepted and the order passed.

TRANSPORTATION OF PRISONERS.

Coun. SMITH, for the Committee on the Inspection of Prisons, submitted a report on order (referred September 11) for an investigation of the methods of transporting prisoners from Brighton Courthouse to Deer Island boat and to Charles Street Jail—that the same be referred to the Committee on County Accounts.

Report accepted; said reference ordered.

STANDING OF "MONITOR" EMPLOYEES.

Coun. SMITH offered an order that the Corporation Counsel be requested, through his Honor the Mayor, to report to the City Council at his earliest convenience his opinion as to whether or not the employees of the steamer "Monitor" are employees of the County of Suffolk or City of Boston.

Coun. SMITH—Mr. President, my reason for introducing this order is that the county officials have a pension and most classes of employees of the city do not have a pension. We having turned down the General Pension Act at the last meeting of this body, and having left a large class of the city employees without any pensions, without any provision for pensions, the question of the classification that they come under naturally becomes interesting to certain employees. There is a difference of opinion as to the officers and men on the steamer "Monitor." If they are county employees they have pensions; if city employees they do not. As a question of law pure and simple, I beg to refer it to the Corporation Counsel.

Coun. CURLEY—Mr. President, as I understand it a ruling has already been made in regard to those employees. Those who work on the "Monitor" are county employees. They are not subject to civil service rules.

Coun. SMITH—Mr. President, I would like to ask the authority for the information.

Coun. CURLEY—I have no objection to the passage of the order.

The order was passed.

LIGHTS, CLEVELAND CIRCLE.

Coun. KENNY offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to cause Cleveland circle, Ward 25, to be equipped with additional lights.

Passed.

RECESS TAKEN.

The Council voted, at 3.55 o'clock p. m., on motion of Coun. KENNY, to take a recess subject to the call of the President.

The members of the Council reassembled in the Council Chamber and were called to order by the President at 4.50 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Report on message of Mayor and communication from Park Square Trust (referred February 6) relative to Arlington street—that the same be referred to the Committee on Finance.

Report accepted; said reference ordered.

(2) Reports on various papers—that no action is necessary, viz.:

Communication from Secretary of State (referred October 16) relative to acceptance of act concerning county employees.

Order, etc. (referred June 16), for payment to widow of Patrick Burke.

Message, communication and order (referred March 13) to alter restrictions on land at South street.

Order (referred June 26) to request Mayor to recommend transfer for Fire Department.

Communication, etc. (referred July 7), relative to improvements necessary for ferries.

Communication (referred May 22) relative to fire escapes on public buildings.

Message and communications (referred July 7) relative to repairs needed at House of Correction.

Accepted.

(3) Reports on various papers—that the same be placed on file, viz.:

Communication from Augustus Seaver (referred July 7) for investigation of fireworks display on Charles River Basin.

Message and order (referred September 11) accepting chapter 413, Acts 1911, relative to retirement of laborers.

Report of Finance Commission (referred October 30) relative to retirement of laborers.

Report on Finance Commission (referred October 16) relative to retirement system for city employees.

Message and communication (referred October 2) relative to cost of retirement of employees.

Message and communications (referred October 2) relative to retirement of laborers.

Veto message and order (referred to-day) hiring playground on Carolina avenue.

Message and communication (referred to-day) in favor of transfer for Ward 7 Playground.

Accepted.

(4) Reports on petitions for sidewalks (referred October 9 and August 22), recommending the passage of orders on same, viz.:

Sidewalks on Howard street, Ward 17.

Sidewalks on Walden street, Roxbury.

Reports accepted; orders passed.

(5) Report on order (referred May 15) for sidewalk on Edge Hill street, Ward 22—that the order ought to pass.

Report accepted; order passed.

(6) Report on message of Mayor and order (recommitted October 30) recommending transfer of balance of appropriation for Playground, Wards 7 and 9, to the appropriation for Playground, Ward 7—that the order ought to pass.

Coun. ATTRIDGE—Mr. President, I desire to say that this is an unexpended balance of appropriation for Playground, Wards 7 and 9. There is a playground in Ward 9, costing over $300,000, and it is used mostly by the people of Ward 9. It is some distance from Ward 7. The people of Ward 7 have desired a playground for many years. Last year this City Council appropriated $25,000 by loan for the purchase of property for a small neighborhood playground. It was found that the amount was not sufficient for the purpose, and the Board of Park Commissioners have requested that the unexpended balance of the appropriation for Ward 7 and Ward 9 Playground be transferred to the appropriation for Ward 7 Playground. As the member of the Council coming from Ward 9 I think I voice the feelings and sentiments of the people of my district when I say they desire that our neighbors in Ward 7—a small ward, but a ward which is greatly congested, a ward with a great school population, and with nearly 15,000 inhabitants—should have a neighborhood playground. As the member of the Council from Ward 9, I shall vote in favor of this transfer, thus helping our neighbors in Ward 7 to have a decent playground for the use of the district.

The report was accepted and the order took its first reading and passage, yeas 9, nays 0. The question of final reading and passage will come up not less than two weeks from to-day.

(7) Report on message, communication and order (referred October 30) for transfer of $400 for hot water apparatus at Social Law Library — that the order ought to pass.

Report accepted; order passed, yeas 9.

(8) Report on message and order (referred to-day) transferring $3,000 for repair of monument at Thomas park—that the order ought to pass.

Report accepted; order passed, yeas 9.

(9) Report on message and order (referred to-day) for transfer of $13,000 for improvement of hospital mortuary—that the order ought to pass.

Report accepted; order passed, yeas 9.

(10) Report on message of Mayor and order (referred to-day) for commission to consider apportionment of county expense—that the order ought to pass.

Report accepted; order passed.

(11) Report on message of Mayor (referred October 2) relative to acceptance of Act for Widening Pleasant Street—that the Act should be accepted and recommending the passage of the following:

Ordered, That Chapter 591 of the Acts of the Legislature of 1911, entitled "An Act to Provide for the Widening of Pleasant street in the City of Boston," be and the same hereby is accepted by the City Council of the City of Boston.

Report accepted; order passed, yeas 9.

Coun. CURLEY moved to reconsider; lost.

(12) Report on message of Mayor (referred to-day) transmitting report of Fire Hazard Commission—that the same be placed on file and printed as a public document.

Report accepted; ordered printed and placed on file.

(13) Report on petition of Andrew L. Bizler (referred to-day) for permit for children under fifteen years of age to appear at Oakland Hall on evening of November 16—that a permit be granted.

Report accepted; permit granted on the usual conditions.

(14) Reports on petitions (referred to-day) for leave to sell, rent or lease firearms at various places, viz.:

Moe Cohen, 37 Fleet street, Ward 6.

Endicott Street Loan Company, 3 Endicott street, Ward 6.

Levine Brothers, 11A Essex street, Ward 7.

S. L. Diab, 743 Washington street, Ward 7.

Reports accepted; permits granted on the usual conditions.

SIDEWALK, HOWARD AVENUE.

Coun. CURLEY offered an order—That the Commissioner of Public Works make a sidewalk along the easterly side of Howard avenue, between Dudley and Harlow streets, Ward 18, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of brick with granite edgestones, under the provisions of chapter 437 of the Acts of 1893.

SURFACING OF STREETS, WARD 17.

Coun. CURLEY offered an order—That the Commissioner of Public Works, through his Honor the Mayor, be requested to surface either with brick, asphalt or granolithic the following streets in Ward 17: Eustis, Magazine, Adams, Yeoman, Thorndike, Zeigler, Dearborn, Fellows, Howard, George, Burrell, Shirley, Randall, Palmer, Winslow, Island, Reading, East Lenox, Webber.

Coun. CURLEY—Mr. President, I desire to say in connection with this order that the streets enumerated in this list are at present macadam streets and it appears almost an impossibility to keep them in proper and suitable condition. I took up with the Commissioner of Public Works the question of the advisability of having them laid with bitulithic, asphalt or brick paving, and he is inclined to believe that the work will be done during the coming spring or summer, and he believes it is more economical to treat the streets in that way than to continue them as macadam streets.

Coun. BALLANTYNE—Mr. President, I am heartily in favor of that order as presented by the councilor on the other side. I can say that a great many of those streets are in deplorable condition at the present time, especially Eustis and Zeigler streets, where a great amount of heavy teaming is done. I have been over those streets with the Commissioner of Public Works. I called his attention to them some time ago and have had both him and the deputy commissioner, especially on Eustis street. I have been assured, as has my brother on the other side, that some of these streets will be attended to in the spring. I sincerely hope they will give their attention to both Eustis and Zeigler streets, which very much need repairs.

The order was passed.

PAYMENT OF ELECTION OFFICERS.

Coun. McDONALD offered an order—That the City Treasurer be requested, through his

Honor the Mayor, to pay election officers who served at the late state election before Thanksgiving Day.
Passed.

THE NEXT MEETING.

On motion of Coun. BALLANTYNE it was voted that when the Board adjourns it be to meet on Monday, November 27, at three o'clock p. m.

GENERAL RECONSIDERATION.

On motion of Coun. BALLANTYNE the Council refused a general reconsideration of all action taken to-day.

Adjourned, on motion of Coun. CURLEY, at 5.30 p. m., to meet on Monday, November 27, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, November 21, 1911.

Special meeting of the City Council, held in the Council Chamber, City Hall, at twelve o'clock m., for the purpose of drawing jurors, President COLLINS in the chair and a quorum present.

Jurors were drawn, the Mayor present, viz.:

Four grand jurors, United States District Court, to appear December 5, 1911:

Samuel Simon, Ward 6; Albert H. Hoffman, Ward 23; Michael Giarle, Ward 6; Michael F. Morrissey, Ward 24.

Forty-one traverse jurors, Superior Criminal Court, First Session, to appear December 6, 1911:

Edward E. Wilder, Ward 22; Harry S. Marvin, Ward 21; Theodor L. Dibblee, Ward 22; Frank P. Walker, Ward 16; Peter F. Mullen, Ward 25; Michael J. Driscoll, Ward 15; William H. Edson, Ward 16; James Conley, Ward 1; Michael Bowen, Ward 17; Arthur W. Whittemore, Ward 20; Patrick J. Donahue, Ward 23; Patrick Falvey, Ward 4; Bernard W. Stark, Ward 20; Oliver H. Tenney, Ward 12; Henry J. Orchard, Ward 13; John F. Downey, Ward 9; Perry L. McKinney, Ward 23; Daniel J. Reardon, Ward 15; James F. Flaherty, Ward 16; Robert W. Oliver, Ward 4; D. Webster Dill, Ward 20; John A. P. Gilman, Ward 23; James T. Collins, Ward 14; Duncan Finlayson, Ward 23; George F. Crossen, Ward 19; Joseph O. Anderson, Ward 24; Alfred Hansen, Ward 12; Charles G. Parmenter, Ward 1; William C. Hall, Ward 24; Rutherford B. H. Morrill, Ward 24; James A. Cunningham, Ward 14; Bernard F. Sweeney, Ward 8; August E. Knight, Ward 1; Forrest P. Colburn, Ward 9; Carl J. Schriftgiesser, Ward 9; Charles W. Stephenson, Ward 20; William J. Roche, Ward 15; James Lantry, Ward 13; Frederick C. Raymond, Ward 14; Patrick J. McIntire, Ward 4; James Barrett, Ward 18.

Forty-one traverse jurors, Superior Criminal Court, Second Session, to appear December 6, 1911:

Charles Athon Hall, Ward 20; Joseph Edwards, Ward 24; Nils Nilson, Ward 22; Charles H. Cook, Ward 14; John F. Donovan, Ward 1; Martin H. Smith, Ward 17; Miles P. Murphy, Ward 22; Adam McClure, Ward 12; Bryan J. Kelly, Ward 15; Charles W. Brown, Ward 20; James Montague, Ward 12; William T. Sheffield, Ward 1; William D. Murry, Ward 14; Gerald B. Gilbert, Ward 8; Simon Hurwitz, Ward 12; Thomas E. Sprague, Ward 14; Eugene F. Reardon, Ward 5; John J. McLaughlin, Ward 23; Carlos Greenburg, Ward 11; Oris A. Kenyon, Ward 20; Patrick Grant, Ward 11; Edward M. Barry, Ward 16; Edward F. Coughlin, Ward 23; John P. Mullen, Ward 20; William A. Bunton, Ward 20; Ludwig Eisemann, Ward 11; Joseph P. B. Raffaelle, Ward 18; Charles T. Winklemann, Ward 20; Frederick W. Steele, Ward 22; Ernest E. Fitch, Ward 20; Frederick Edwards, Ward 16; John A. Nolan, Ward 2; Thomas J. Devine, Ward 8; Walter L. Bramble, Ward 16; Francis P. Rowley, Ward 22; Patrick J. Kane, Ward 3; Charles W. Crowley, Ward 9; James McGuire, Ward 25; Moritz Voelker, Ward 9; Herbert C. Gibbs, Ward 11; Frank A. Clapp, Ward 24.

Adjourned at 12.33 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, November 27, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair and all the members present.

The Council voted, on motion of Coun. BUCKLEY, to dispense with the reading of the records of the last two meetings.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments, viz.:

(1) Nathaniel G. Robinson (21 Mt. Pleasant avenue, Ward 17), a Constable of the City of Boston for the term ending April 30, 1912.

(2) John J. Barnes (41 Baldwin street, Ward 4), Daniel P. Carney (49 Lawrence street, Ward 5) and John Thompson (36 Haverhill street, Ward 4), Measurers of Grain and Inspectors of Pressed or Bundled Hay and Straw for the term ending April 30, 1912.

(3) Joseph W. Cook, to be a Weigher of Coal, Measurer of Wood and Bark, Measurer of Grain, Inspector of Pressed or Bundled Hay and Straw, Weigher of Boilers and Heavy Machinery, and Weigher of Beef, for the term ending April 30, 1912.

(4) Miss Etta Alpert (34 Clifton street, Ward 17) and Mrs. Catherine Ford (185 West Fifth street, Ward 13), to be Weighers of Coal; Arthur F. Langley (534 Bennington street, Ward 1), to be a Measurer of Grain and an Inspector of Pressed or Bundled Hay and Straw; and Eugene P. McDonald (30 Pearl street, Wakefield), to be a Weigher of Coal, Measurer of Wood and Bark, Measurer of Grain, Weigher of Boilers and Heavy Machinery and Weigher of Beef, for terms ending April 30, 1912.

(5) Francis P. Aieta (8 Barry park, Ward 20), a Constable of the City of Boston for the term ending April 30, 1912. Mr. Aieta is a truant officer, in the employ of the School Committee, and is to serve as a constable without bonds.

Severally laid over under the law.

APPROPRIATION FOR CHILDREN'S HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, November 27, 1911.

To the City Council:

At the meeting of your honorable body, held October 2, 1911, I transmitted a letter from the chairman of the Consumptives' Hospital Department, urging an appropriation of fifty thousand dollars ($50,000) for the erection of a hospital to contain fifty beds for children with demonstrable tuberculosis. The matter was referred to the Committee on Finance, and as no report has been made I recommend the passage of the accompanying loan order, appropriating the sum required for this purpose.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That the sum of $50,000 be appropriated, to be expended by the Consumptives' Hospital Trustees for a Children's Hospital, and that the city treasurer be authorized, with the approval of the Mayor, to issue bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

OPENING OF AQUARIUM AND ZOO.

The following was received:

City of Boston,
Office of the Mayor, November 27, 1911.

To the City Council:

I transmit herewith a communication from the chairman of the Board of Park Commissioners, containing a statement of the funds appropriated for the Aquarium and Zoological Garden, and an estimate of the amount needed in order to open these institutions on June 1, 1912. It appears that the sum of $125,000 is required, according to the Park Commissioners, before that date, in addition to the amount already appropriated. As it is desirable that the Aquarium and Zoological Garden should be opened next summer if possible, I trust that your honorable body will bear in mind the needs of these institutions, as set forth in the accompanying letter.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Board of Commissioners of the
Department of Parks,
November 24, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,— Inclosed herewith is a statement of the funds appropriated and the obligations entered upon for the Aquarium and Zoological Garden. Also a statement as to what money will be needed to carry out so much of the work as we have aimed to have ready for opening on June 1, 1912. At that time, as you know, we hope to have the Aquarium, the bear dens and the bird cage built and occupied and the bird house well under way so that it may receive the birds in the autumn. Also we hope to have a few yards for small hardy animals. To accomplish this we shall need to receive, as per this statement, $114,500, or, as unforeseen incidentals will occur, it will be safer to ask for $125,000 between now and next June. Will you give this your attention and if possible see that we can count upon this sum of $125,000 in installments between now and June, 1912?

Yours truly,
ROBERT S. PEABODY, Chairman.

—

PARK DEPARTMENT.— ZOOLOGICAL GARDEN AND AQUARIUM.

Contracts Made and Work Done by Park Department Employees.

November 22, 1911.

Zoological Garden Contracts.

Bear Dens:			
John A. Rooney, walls and bear dens.....	$11,445 00		
Aug. 4, 1911, extra height walls.....	255 00		
Aug. 31, 1911, extra height walls.....	135 00		
			$11,835 00
Smith & Lovett, ironwork.....	$7,700 00		
Aug. 1, 1911, changes in ironwork.....	994 89		
			8,694 89
William L. Morrison, concrete floors,			6,763 00
Porter & Pearl, wall and stairway...			3,900 00
Aquatic Flying Cage:			
New England Structural Company..			8,734 00

Aquarium Contracts.

Aquarium Building:			
Carroll Construction Company.	$88,818 00		
Grading....	5,400 00		
		$94,218 00	
Nov.14,1911, 1,301 ft. 5 in. extra length concrete piles at $1.15...	$1,496 94		
10 per cent..	149 66		
		1,646 60	
Nov.16,1911, waterproofing cistern,	$2,259 00		
Rent pump 23 days at $6.60.....	151 80		
		2,410 80	
			98,275 40

Bay State Construction and Supply Company, refrigerating machinery,	$7,110 00
Laskey & McMurrer, heating and ventilating	15,887 00
Loomis-Manning Filter Distributing Company, filter	2,500 00
Architect's commission	6,661 41
Engineer's commission	1,529 82
Miscellaneous.	
Including Work Done by Department Employees.	
Zoo sewerage and water	9,683 37
Miscellaneous expenditures	899 52
Plans, salaries, commissions, test holes, etc	7,905 02
Grading	2,034 84
Temporary bear cage	264 67
	$192,677 94

ZOO AND AQUARIUM REQUIREMENTS NOT CONTRACTED FOR BUT NEEDED TO COMPLETE WORK PLANNED TO BE READY JUNE 1, 1912.

November 22, 1911.

Bird house	$75,000 00
Water and sewerage to flying cage and bird houses	5,000 00
Birds and animals	5,000 00
Tools for Zoo	200 00
Tools for Aquarium	200 00
Flying cage wall (approximate)	12,000 00
Flying cage netting (approximate)	1,500 00
Yards for small animal exhibits	10,000 00
Duck pond	5,000 00
Panel at bear dens	600 00
	$114,500 00

ZOOLOGICAL GARDEN AND AQUARIUM.

November 17, 1911.

Appropriations		$198,200 00
Expended to date	$60,460 44	
Liabilities under contracts,	132,217 50	
		192,677 94
Balance		$5,522 06
Appropriation needed to complete so much of the Zoo and Aquarium as it is intended to have ready June 1, 1912		$114,500 00

Referred to the Committee on Parkman Fund.

FERDINAND STREET WIDENING.

The following was received:

City of Boston,
Office of the Mayor, November 27, 1911.

To the City Council:

It has come to my knowledge that Mr. Laurence Minot, who has represented the New York, New Haven and Hartford Railroad in its negotiations with the city in regard to the development of the Park square property, has recently acquired an estate on Piedmont street, near the junction of Ferdinand street. This parcel adjoins another previously owned by him, but it is nearer to the line of the proposed widening. The assessed valuation of the original estate is about $2,100 and that of the estate recently purchased about $1,800. Should the widening be made under the excess condemnation act, so called, both estates might be taken by the city either through purchase or by eminent domain. Should the city decide not to avail itself of the privilege accorded to it under the recent constitutional amendment both estates would be subject to betterment assessments and, on the other hand, would undoubtedly share in any increase of valuation that would result therefrom.

I have felt it my duty to lay this circumstance before you. It was not known to me when I recommended the widening of Ferdinand street, and I am unable to say that the arguments for this great public improvement, which commended themselves to my judgment two weeks ago, have lost any of their force because of the fact that a representative of the railroad may derive some benefit from the city's act.

It has been suggested that Arlington street might be extended as far as Columbus avenue and the Ferdinand street widening be treated as a distinct proposition. Unfortunately, however, the proposition of the railroad looks upon the whole improvement as a unit, and it is questionable whether it might not withdraw its offer of $270,000 in betterment assessments. The railroad virtually gives to the city two important streets constructed on its own land, Arlington street, between Providence street and Columbus avenue, and Stuart street. Besides this it widens Providence street to a width of one hundred feet and guarantees that $270,000 shall be deducted from the damages to the estates which it owns on Boylston street.

Ever since the destruction by fire of the depot of the Boston and Providence Railroad, the Park square district has been an eyesore and an obstacle to development. An opportunity is now offered to remedy this condition and failure to act at this juncture might conceivably result in an indefinite postponement of the entire scheme. The mere fact that the property is owned by a great railroad corporation should not prejudice the case but the proposition should be considered like any other, strictly upon its merits and with a view to the resulting benefit to this particular section and to the city as a whole.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Referred to the Committee on Finance.

GYMNASIUM, WARD 8.

The following was received:

City of Boston,
Office of the Mayor, November 27, 1911.

To the City Council:

I transmit herewith a communication from the vice chairman of the Bath Trustees, requesting an additional appropriation of $15,000 for the remodeling of the Blossom Street Wardroom as a bath house and gymnasium. The appropriation on hand amounts to something less than $25,000, while the lowest bid on the plans approved by the department amounted to something over $35,000. The improvement is an important one and I believe that the suggestion of the Bath Trustees should be carried out. I recommend, therefore, the passage of the accompanying loan order, appropriating the sum of $15,000 additional for Gymnasium, Ward Building, Ward 8.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Bath Department, November 24, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

My dear Sir,—I desire to ask your cooperation in securing an additional appropriation of $15,000 for the remodeling of the Ward 8 building into a bath house and gymnasium. The plans for this have already been drawn by Mr. Edward P. T. Graham, architect, and the lowest bids were submitted by the William Crane Company, Vassar street, Cambridge, and amounted to $35,113. The amount of the appropriation now on hand is $24,405.85. It is especially desirous to put through the plans and specifications already drawn, as the pressing needs of this community call for the plans already agreed upon.

The reason why nothing has been done towards securing this appropriation up to this time was owing to an investigation which was being conducted by the Finance Committee, relative to the specifications on plumbing. A recent communication from the Finance Commission set forth that they desire to see this building put through to a speedy completion, and as the Bath Trustees are of the same opinion, I trust that you will secure this additional appropriation of $15,000 for carrying out the work contemplated, as the people of this section of the city are especially desirous of having this building completed as soon as possible.

I trust the urgency of their appeal will merit your immediate consideration.

Very truly yours,
WILLIAM M. MURPHY,
Vice Chairman Bath Trustees.

Ordered, That the sum of $15,000 additional be appropriated, to be expended by the Bath Trustees for Gymnasium, Ward Building, Ward 8, and that to meet said appropriation the City Auditor be and hereby is authorized to issue bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

QUARTERS IN PARKMAN HOUSE.

The following was received:

City of Boston,
Office of the Mayor, November 17, 1911.

To the City Council:

I transmit herewith a communication from the Commander of Roger Wolcott Camp, No. 23, U. S. W. V., Department of Massachusetts, requesting that if the Parkman estate is retained by the city for patriotic purposes this camp be assigned quarters in the building.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Headquarters Roger Wolcott Camp No. 23,
United Spanish War Veterans,
Boston, November 17, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—We have been informed that the "Parkman Estate" at No. 33 Beacon street is to be retained by the city for patriotic purposes. We respectfully ask that we be assigned to quarters in said building under the act of the Legislature permitting the use of public buildings at a nominal rental for Grand Army posts and camps of Spanish War Veterans.

We are the largest camp in the state and bear the name of the honored war Governor, Roger Wolcott. Trusting you will arrange a time to confer with a committee from our camp, I remain,

Respectfully,
P. JOSEPH O'LEARY, Commander.

Referred to the Committee on Parkman Fund.

IMPROVEMENTS, HIGHLAND PARK.

The following was received:

City of Boston,
Office of the Mayor, November 17, 1911.

To the City Council:

At the meeting of your honorable body held November 13, 1911, an order was passed transferring the sum of three thousand dollars ($3,000) from the Reserve Fund to a special appropriation for Thomas Park, Repairing of Monument. At the same meeting the sum of twenty-five thousand dollars ($25,000) was appropriated from the income of the Parkman Fund for convenience stations, bubble fountains, and other improvements in the public parks and squares. In the course of the debate on the latter order a schedule of proposed improvements which could be made under this appropriation was submitted by the Superintendent of Public Grounds, and the last item of the schedule, reading "Thomas Park, Repairs on Monument," was identical with the subject of the earlier appropriation made by transfer from the Reserve Fund. The schedule had not been submitted to me and I presume has absolutely no binding force, but as there happens to be another appropriation of three thousand dollars ($3,000) asked for by the Superintendent of Public Grounds, I recommend that the appropriation for Thomas Park, Repairing of Monument, be transferred to a special appropriation for Highland Park, Improvements, and have drafted an order effecting this transfer.

In the annual report of the Superintendent of Public Grounds, dated February 1, 1911, it is stated that "the Roxbury standpipe grounds remain in the same dilapidated condition which prevailed when the lot was transferred to this department some years ago, owing to the fact that no appropriation was ever made for ground improvements, although the standpipe has been thoroughly repaired, which makes the unsightly condition of the lot more apparent. The renovation of this area may be accomplished for $3,000 and again I urgently recommend it."

In my opinion the improvement is one which should be undertaken and I trust that the accompanying transfer order will be passed.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That an appropriation of three thousand dollars ($3,000) for Thomas Park, Repairing of Monument, be transferred to a special appropriation to be expended under the direction of the Superintendent of Public Grounds for Highland Park, Improvements.

Referred to the Executive Committee.

FIRE DEPARTMENT CONNECTIONS, HYDE PARK.

The following was received:

City of Boston,
Office of the Mayor, November 23, 1911.

To the City Council:

I beg to recommend the passage of the accompanying order, based on the request of the Fire Commissioner for an additional appropriation of five thousand dollars ($5,000) for the purpose of enabling the fire alarm division to make proper connections with the Hyde Park fire alarm.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Headquarters, Fire Department,
November 21, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—I have the honor to request that $5,000 additional be transferred to the appropriation of the Fire Department for the purpose of enabling the fire alarm division to make proper connections with the Hyde Park fire alarms. It is the intention of this department to use the Hyde Park system as it is at present. The work to be done at this time will allow the Hyde Park alarms to be recorded at this office, and the Boston alarms to be transmitted to the Hyde Park central station.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of five thousand dollars ($5,000) from the appropriation for Reserve Fund to the appropriation for Fire Department.

Referred to the Executive Committee.

COMMEMORATION OF WENDELL PHILLIPS.

The following was received:

City of Boston,
Office of the Mayor, November 25, 1911.

To the City Council:

As Wednesday, November 29, is the one hundredth anniversary of the birthday of Wendell Phillips, it seems to me timely to suggest to your honorable body that some attempt should be made to commemorate in a permanent way the life and works of this distinguished Bostonian. The son of our first mayor, and a graduate of the Boston Latin School and Harvard University, he dared to face in his early youth social ostracism and personal peril in the expression of his convictions. His name is immortalized with that of William Lloyd Garrison as one of the leaders of a group of New England men who stood ready to make any sacrifice that the American nation might become a nation of free men. In his later years, when the movement for the abolition of slavery had triumphed, he espoused other causes which revealed no less distinctly his liberal and philanthropic nature, such as the emancipation of women, the freedom of Ireland, the improvement of wages and conditions among what are called the laboring classes, and the reduction of the evil of intemperance. His brilliant eloquence and apostolic fervor gave him the renown, and to some extent the influence, of a missionary in those fields.

It would seem that Boston should be ready to do something for this great advocate, whose fine and brave personality is still remembered by many of the older generation, and whose influence, though he held no office, was greater than that of many who are styled statesmen. Through his superb apostrophe to the portraits in Faneuil Hall, and his connection with the attempted rescue of the fugitive slave Burns, he is identified with events that have become a part and parcel of our history. While Garrison has his statue on Commonwealth avenue, no similar public memorial exists to remind the citizens or visitors of the career of so great a man. I feel sure that the City Council will regard the subject as worthy of its attention on the eve of the centenary which is about to be observed.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Referred to the Executive Committee.

ACCEPTANCE OF INVITATION.

The following was received:

City of Boston,
Office of the Mayor, November 20, 1911.

To the City Council:

Continuing the subject of the invitation extended to Lawson Purdy, Esq., president of the Department of Taxes and Assessments of the city of New York, to visit Boston and meet the members of the City Council with other city officials, I beg to inform you that Mr. Purdy has promised to come on any date in February that may be named and that I have invited him to come on Thursday, February 1, 1912.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

EMPLOYEES OF "MONITOR."

The following was received:

City of Boston,
Office of the Mayor, November 20, 1911.

To the City Council:

In reply to your request, contained in an order passed at the meeting of November 13, that the Corporation Counsel report to the City Council his opinion as to whether the employees of the steamer "Monitor" are employees of the County of Suffolk or of the City of Boston, I transmit herewith a statement on this subject from the Corporation Counsel.

Yours very truly,
JOHN F. FITZGERALD, Mayor.

—

The following was received:

City of Boston,
Law Department, November 17, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—I am requested by the Honorable City Council, through your Honor, for my opinion as to whether or not the employees of the steamer "Monitor" are employees of the County of Suffolk or City of Boston.

Persons employed on the steamer "Monitor" are employees of the Penal Institutions Department, which is, as far as the management of the House of Correction is concerned, a county department. As far as its other duties are concerned, it is a department of the City of Boston. I am informed by the Penal Institutions Commissioner that the employees on the steamer "Monitor" are employees of the City of Boston, that their pay is not reckoned as a county expense and that they are under the civil service rules as employees of the city.

Yours respectfully,
THOMAS M. BABSON, Corporation Counsel.

Placed on file.

CLERICAL ASSISTANCE, SUPERIOR CIVIL COURT.

The following was received:

City of Boston,
Office of the Mayor, November 27, 1911.

To the City Council:

At the meeting of your honorable body held on November 13, 1911, I transmitted a communication from the clerk of the Superior Civil Court, in which he requested that three thousand dollars ($3,000) be transferred to the appropriation for the maintenance of that court, for the purpose of paying the salaries of needed extra clerks. It was my intention to specifically recommend the passage of such an appropriation, but the wording of my communication may be considered vague. I therefore recommend the passage by your honorable body of the accompanying draft of order, transferring the sum of three thousand dollars ($3,000) from the appropriation for Reserve Fund to the appropriation for Superior Court, Civil Session.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of $3,000 from the appropriation for Reserve Fund to the appropriation for Superior Court, Civil Session.

Referred to the Committee on County Accounts.

CLERICAL ASSISTANCE, CRIMINAL COURT.

The following was received:

City of Boston,
Office of the Mayor, November 27, 1911.

To the City Council:

I transmit herewith a communication from the clerk of the Superior Criminal Court, requesting that the sum of fifteen hundred dollars ($1,500) be appropriated for additional clerical assistance in his department, and I recommend the passage of the accompanying draft of order transferring this amount from the Reserve Fund to the appropriation for Superior Court, Criminal Session.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of fifteen hundred dollars ($1,500) from the Reserve Fund to the appropriation for Superior Court, Criminal Session.

Referred to the Committee on County Accounts.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Daniel J. Sullivan, for compensation for injuries caused by his being struck by a team of the Street Department.

Mark Foley, for compensation for injuries received by reason of a gate in front of the Fifth Street Schoolhouse.

Stephen J. Tobin, for compensation for damage to automobile by fire apparatus.

Charles J. Kidney, to be paid for lights of glass and blinds at No. 3 Yeoman court broken by a mob of boys.

Andrew Allgaier, for salary lost on account of injury received while in the employ of the city.

Lena Maloney *et al.*, for compensation for sickness caused by overflow of sewer at 164 Cedar street.

Charles J. Hickey, for compensation for injuries caused by an alleged defect in Tremont street at Berkeley street.

Mrs. M. Block, for compensation for injuries caused by an alleged defect at 72 Leverett street.

Nellie Cogan, for compensation for injuries caused by an alleged defect in Washington street, in front of R. H. White's store.

Harris L. Traiger, for a hearing on his claim on account of an accident on one of the East Boston ferryboats.

Executive.

Petitions for sidewalks were received as follows:

(Brick.)

J. W. Bartholomew and H. M. Rohrer, 6–8 Rockland avenue, Ward 21.

A. D. Meltzer, 183–189 Cambridge street, Ward 11.

Mary A. MacDonald, 12 Peters street, Ward 14.

(Brick with Granite Edgestone.)

Sabina T. Moore, 81 Fisher avenue, Ward 19.

(Gravel with Granite Edgestone.)

S. W. Johnson, 202–204 N street, Ward 14.

O. L. Beverage, 16 Nixon street, Ward 20.

Jonas O. Bocklund, 183 Savin Hill avenue, Ward 20.

(Artificial Stone with Granite Edgestone.)

L. C. Biggio, 9 Boardman street, Ward 1.

Charles Bonanno, 11 Boardman street, Ward 1.

Charles Kolodny, 10 Garden Court street, Ward 6.

United Distributing Company, 142 Blackstone street, Ward 6.

Massachusetts General Hospital, 474–480 Washington street, Ward 7.

E. T. Ball, Belvidere and Dalton streets, Ward 10.

Louis Berenson, 72 Batavia street, Ward 10.

Coleman & Gilbert, 24–28 Westland avenue, Ward 10.

Dinan & Rosenberg, 133 Peterborough street, Ward 11.
G. L. Hagenburger, 16–20 Haviland street, Ward 11.
John J. Johnston, 26 Aberdeen street, Ward 11.
Ellis L. Snider, 509 Audubon road, Ward 11.
E. L. Snider, Audubon road and Ivy street, Ward 11.
Myer Dana, 681 Tremont street, Ward 12.
Arthur W. Cole, Massachusetts avenue and Tremont street, Ward 12.
Goldie Schwartz, 24 Dartmouth street and on Montgomery street, Ward 12.
William B. Watson, 1772 Columbia road, corner N street, Ward 14.
Francis T. Leahy, Eighth street, corner Columbia road, Ward 14.
Mrs. Catherine J. Hart, 47 Roseclair street, Ward 16.
C. L. Hutchins, 21 Humphreys street, Ward 16.
Thomas J. Kennedy, 56 Harvest street, Ward 16.
E. J. Dillamano, 58 Harvest street, Ward 16.
George V. Wattendorf, 46 Edison green, Ward 16.
George V. Wattendorf, 48 Edison green, Ward 16.
Louis Segel, 364 Blue Hill avenue, Ward 20.
James A. Cully, 2 Victoria street, Ward 20.
K. M. Hagopian, 1 Greenwood street, Ward 20.
Samuel Epstein, 214–216 Kilton street, Ward 20.
Ester Molliver, 228–232 Magnolia street, Ward 20.
Albert H. Houghton, agent, 15–17 Hancock street, Ward 20.
Michael F. and Frederick Shay, 81–87 Warren street, Ward 21.
Haffenreffer & Co., Brookside avenue, Ward 22.
Annie H. C. Floyd, 58 Stratford street, Ward 23.
J. W. Patterson, South and Boynton streets, Ward 23.
Norman Clark, 43 Torrey street, Ward 24.
W. B. Rice, 65 Neponset avenue, Ward 24.
St. Ann's School, 241 Neponset avenue, Ward 24.
Winthrop Hammond, 362 Neponset avenue, Ward 24.
Barnet Levenbaum, Dorchester avenue, from No. 1670 to Centre street, Ward 24.
Emilie Barnwart, Blue Hill avenue and Woolson street, Ward 24.
J. F. Sullivan, 358–362 Market street, Ward 25.
Henry K. Braley, 151 Kilsyth road, Ward 25.
Gertrude M. Wood, 155 Kilsyth road, Ward 25.
Julia M. Wiley, 157 Kilsyth road, Ward 25.
Mary E. Nolan *et al.*, Sutherland road and Lanark road, Ward 25.
Isabelle Wilkins, 15 Reedsdale street, Ward 25.
Beezie Johnson, 17 Reedsdale street, Ward 25.
Frances G. Michaud, for permit for children under fifteen years of age to appear at St. James's Sunday School on the afternoon of December 15.

MINORS' LICENSES.

President COLLINS submitted reports on petitions of ten newsboys and one bootblack for minors' licenses—recommending that the same be granted.

Reports accepted; licenses granted on usual conditions.

EXAMINATION OF BOUNDARIES.

President COLLINS submitted the following:

The special committee appointed to examine the lines and bound marks between this city and the cities of Everett, Somerville and Newton, and the towns of Revere, Brookline, Dedham and Hyde Park, respectfully report that they have attended to their duty, either personally or by duly appointed substitutes, and have examined and agreed with committees or agents appointed by the said cities and towns upon the several boundaries and bound marks in the existing boundary lines, and they submit herewith descriptions of the same for record.

WALTER L. COLLINS,
WALTER BALLANTYNE,
Councilors.
JOHN T. PRIEST,
City Clerk.
LOUIS K. ROURKE,
Commissioner of Public Works.

(Annexed were the descriptions referred to, all as contained in City Document 125.)

Accepted, and ordered printed.

ENGINE HOUSE, PARKER HILL.

The following was received:

City of Boston,
Headquarters Fire Department,
November 22, 1911.

To the Honorable the City Council:

Gentlemen,— Pursuant to an order with respect to an appropriation for a site for an engine house on Parker Hill, referred to this office for a report on October 30, I have the honor to report as follows:

Under date of February 17, 1911, this office recommended to the city government certain measures to be taken for the better protection of the Parker Hill district. These measures were:

"First. A road free from excessive grades upon the northern slope of the hill.

"Second. The installation of an automobile chemical hose wagon in the quarters of Engine 37.

"Third. The installation of a separate water main along Parker Hill avenue in front of the hospital property thereon, and connecting with a stationary pump in the quarters of the Robert B. Brigham Hospital."

The following action has resulted from these recommendations:

"First. The road on the northern slope of the hill is in the process of construction.

"Second. This office, under date of February 17, forwarded to the office of his Honor the Mayor requests for permission to enter into contract with the American-LaFrance Fire Engine Company for the purchase of an automobile chemical hose wagon to be installed in the quarters of Engine 37.

"Third. The Department of Public Works is in consultation with the trustees of the Robert B. Brigham Hospital with the idea of adjusting the necessary details with respect to the installation of a pump and water main on the top of the hill."

It has not been found possible to make practical arrangements with the Brigham Hospital trustees such as this department considers necessary. Therefore, it would seem desirable that a sufficient sum of money be made available for the acquisition of a site to be used for either a department house, or a location for a stationary pump, or both. There is already available for this purpose the sum of $14,972.70. If the Council cares to add to this sum the funds will be acceptable.

This office urges the immediate completion of the road up the northern slope of the hill, and as soon as the funds are available it will install motor apparatus in the adjacent houses.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

Placed on file.

STORAGE OF EXPLOSIVES.

Communications were received from the following-named parties certifying that explosives were stored in the hereinafter named premises, and of intention to use said premises for the ensuing year, viz.:

Lorin L. Fuller, 209 South street, Ward 23.
National Sportsman (Inc.), 75 Federal street.
Frank V. Bemis, 128 Beacon street, Ward 11.
Robert M. Molineux, 9 Wabon street, Ward 21.
Mary Roughan, 60 Pond street, Jamaica Plain.
Placed on file.

CONSTABLE'S BOND.

The City Treasurer, after having duly approved of the same, submitted the constable's bond of Dominic Dineen.

Approved by the Council.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted by the Secretary of the Commonwealth were received.

Placed on file.

NOTICE OF INTEREST.

Notice was received from Fred S. Gore, Penal Institutions Commissioner, of interest in contract for paving of Northampton street.

Placed on file.

NOTICES OF HEARINGS.

Notice was received from the Railroad Commissioners of hearing on petition of Boston Elevated Railway Company on November 24 for use of tracks for transportation of freight, express matter, etc.

Notice was received from the Railroad Commissioners of hearing on petition of West End Street Railway Company on November 29 for approval of 365th, 366th and 367th locations, and extension of time on 330th location.

Placed on file.

NOTICE OF APPOINTMENT.

Notice was received of the appointment by the Mayor of Charles F. Gaynor as Institutions Registrar, a certified copy of same having been sent to the Civil Service Commission.

Placed on file.

CLERK HIRE.

W. T. A. Fitzgerald, Register of Deeds, submitted a list in accordance with the provisions of section 33, chapter 22, of the Revised Laws, certifying that certain persons had been employed in his office from October 23 to Novemher 20, and that work had been performed to the amount of $3,610.33.

Approved and ordered paid.

SOLDIERS' RELIEF.

Coun. HALE, for the Committee on Soldiers' Relief, suhmitted a report recommending the passage of an order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of November.

Report accepted; order passed.

REIMBURSEMENT OF FEE.

The following was received:

Licensing Board for the City of Boston,
Novemher 24, 1911.

To the City Council:

Gentlemen,—The Licensing Board for the City of Boston respectfully petitions for reimbursement in the amount of $5 from sums hereinafter received hy the City Solicitor on account of miscellaneous licenses; said $5 having been paid to the City Collector on Decemher 31, 1910, as a license fee for a common victualler's license which was granted by said Licensing Board on December 8, 1910, to Melville E. Shorey, as James Gilson & Co., 55½ Kneeland street, and never issued, same being canceled for nonpayment of license fee on December 13, 1910.

Very respectfully,
for the Board,
Ezra H. Baker, Chairman.

Coun. BALLANTYNE in connection with the communication offered an order—That there be repaid to the Licensing Board for the City of Boston the sum of $5, paid by said Board to the City Collector by mistake as a license fee for a common victualler's license granted Decemher 8, 1910, to Melville E. Shorey, and afterwards canceled and not issued; said sum to be paid from the income received from miscellaneous license fees.

Passed.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up Nos. 1 and 2, unfinished business, viz.:

1. Action on appointments suhmitted by the Mayor, November 13, of Jacoh A. Rosenbaum, to be a Constahle of the City of Boston, for the term ending April 30, 1912.

2. Action on appointments submitted by the Mayor, Novemher 13, of Tasker C. Crosson, to be a Weigher of Coal, and Clarence E. Doane and Patrick J. Ryan, to he Weighers of Coal and Measurers of Wood and Bark.

The question came on confirmation. Committee, Coun. Ballantyne and Kenny. Whole number of ballots cast 6, yeas 6, and the several appointments were confirmed.

IMPROVEMENTS, ORCHARD PARK.

Coun. BALLANTYNE offered an order—That his Honor the Mayor be requested to recommend the appropriation of halance of Parkman Fund income on hand December 31, 1911, for improvements at Orchard Park, Ward 17.

Passed.

MEMORIAL TO WENDELL PHILLIPS.

Coun. SMITH offered an order—That his Honor the Mayor be requested to confer with the Art Commissioners in regard to the erection of a suitable memorial in honor of the late Wendell Phillips.

Coun. SMITH—Mr. President, my idea in offering this order is that at this time it is especially appropriate to remember this man, who is among the greatest of Boston's citizens. He has been dead twenty-five years. Any difference of opinion that may have existed ahout him during his life has ceased. He was one of the greatest, if not the greatest, of the abolitionists, and thereby brought great credit on the City of Boston. The action which I have asked for by this body is not unprecedented. It has for a precedent most of the paintings which are now hung in Faneuil Hall, which are memorials of famous men made at the expense of the city. It has as a precedent the Collins memorial, the John Boyle O'Reilly memorial, the Farragut memorial and many others; and it seems to me that the city can do nothing more fitting at this time than to take some step towards commemorating this man. I have conferred with the Mayor about it, and, as you know, he has sent in a communication to-day. I have agreed to help him in any way I can, either in the way of getting together a committee and raising the necessary funds or in any other way; and I sincerely trust that the Council will take action without referring the order.

The order was passed.

PLAYGROUND, WARD 7.

President COLLINS called up unfinished business, No. 3, viz.:

3. Ordered, That under thc provisions of chapter 261 of the Acts of 1893, the City Auditor bc and herehy is authorized to transfer the balance of the appropriation for Playgrounds, Wards 7 and 9, to the appropriation for Playground, Ward 7.

On Novemher 13 the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 9.

BRANCH LIBRARY, CHARLESTOWN.

President COLLINS called up unfinished business, No. 4, viz.:

4. Ordered, That the City Auditor be and herehy is authorized to transfer the appropriation for Branch Library, Charlestown, Estate, and Branch Library, Charlestown, Alterations and Completions, to an appropriation to be expended under the direction of the Library Trustees for Branch Library, Charlestown.

On November 13 the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 9.

President COLLINS called up unfinished business, No. 5, viz.:

5. Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of thirty thousand dollars ($30,000) from the appropriation for Reserve Fund to an appropriation to be expended under the direction of the Library Trustees for Branch Library, Charlestown.

On Novemher 13 the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 9.

PARKMAN FUND REPORTS.

Coun. KENNY, for the Committee on Parkman Fund, suhmitted the following:

(1) Report on communication from Clarence S. Ward (referred Octoher 30) in favor of preservation of Parkman house—that the same he placed on file.

Report accepted; communication placed on file.

(2) Report on message of Mayor and communications (referred October 30) relative to Parkman estate at 33 Beacon street—that the same be placed on file.

Report accepted; message and communications placed on file.

(3) Report on message of Mayor and preamble and order (referred last year) relative to use of building No. 33 Beacon street for departments of city—recommending the passage of order in the following new draft:

Ordered, That in the opinion of the City Council it is desirable that the former residence of George Francis Parkman on Beacon street be kept in the possession of the city as a means of perpetuating his memory; and that it is desirable to obtain possession of the house by means of a long lease, and, further, to this end the City Council recommends a conference between his Honor the Mayor, the Finance Commission and the Committee on Parkman Fund of the City Council.

Report accepted; order passed.

EXECUTIVE COMMITTEE PAPERS.

Coun. ATTRIDGE—Mr. President, in behalf of the Executive Committee I desire to submit reports, with a statement of the papers now before the Executive Committee, so that that list of papers may be printed in the minutes of the City Council for the benefit of the members.

The list referred to was as follows:

Papers now before the Executive Committee.

Message and order, October 30, transfer of $20,000, shelter, etc., Jamaica Pond.

Transfer and order, recommitted July 7, transfer $48,000, new steamboat, Health Department.

Message and communication, August 22, relative to new steamer, Health Department.

Finance Committee report, October 30, relative to "Vigilant."

Message and communication, October 30, $75,000 for incinerator, Brighton.

Message of Mayor and protest, January 2, against incinerator, Brighton.

Protest from Savin Hill Improvement Association, May 1, against garbage depot, Dorchester.

Order, February 27, Executive Committee to give hearings on garbage.

Order, referred March 27, to insert provisions in garbage contract.

Boston Disposal Company, March 27, hearing on garbage contract.

Message of Mayor and communication, March 27, concerning garbage contract.

Message and communication, August 22, Seaver street wall.

Order, August 1, 1910, $15,000 for playground, Brighton.

Message and communication, October 30, eight hour law, Fire Department.

Forest Hills Citizens' Association, January 16, playground, Forest Hills.

Message and order, $6,000 Bath House, Fort Point channel.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Reports on various papers—that no further action is necessary, viz.:

Order (referred May 1) that the Park Department employees construct Zoo and Aquarium.

Order (referred October 30) relative to advisability of establishing municipal building in Ward 7.

Communication and order (recommitted October 30) requesting transfer for Bay street tunnel, Ward 20.

Accepted.

(2) Reports on various papers—that the same be placed on file, viz.:

Report of Finance Commission (referred June 13) on cost of minors' licenses.

Report on order (referred June 13) on licensing of minors.

Protest of Newsboys' Union (referred May 31) against change in system of licensing minors.

Message of Mayor and communications (referred October 30) giving estimate of cost of subway on Bay street.

Communication from Finance Commission (referred last year) in relation to Ward 13 Playground.

Message of Mayor and communication (referred June 28) relative to public landing at Walnut street, Ward 4.

Message of Mayor and communications (referred January 30) relative to abolition of Registry Department.

Message of Mayor and communications (referred October 30) relative to disposal of Old Court House portico.

Message of Mayor and communication (referred October 30) relative to ambulance drivers.

Accepted.

(3) Report on message of Mayor and communications (recommitted October 30) relative to appropriation for Fremont Avenue Playground—that the order ought not to pass.

Report accepted; order rejected.

(4) Report on message of Mayor and order (referred September 11) relative to transfer of $5,000 for removing and preserving the Old Court House portico—that the order ought not to pass.

Report accepted; order rejected.

(5) Report on message of Mayor and communication (referred October 16) for transfer of $17,000 for mechanical stokers, etc., at Hospital Department—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(6) Report on order (referred September 18) to abate Columbia road assessments under chapter 415 of Acts of 1911—that the order ought to pass.

Report accepted; order passed.

(7) Report on message of Mayor and order (recommitted July 7) transferring $9,000 for bathing beach on northeast side of Freeport street, Dorchester—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(8) Report on message of Mayor, communications and order (referred October 30) for transfer of $22,000 for convenience stations at City square and Park square—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(9) Report on report of Executive Committee (recommitted September 18) for location by the Boston Elevated Railway Company for elevated structures, platform, station and approaches thereto at Washington and Dover streets, Boston, as shown on plan numbered 28206—that the order ought to pass as originally reported.

The question came on accepting the report and passing the order.

Coun. SMITH—Mr. President, it is hardly necessary to take up the Dover Street Station, as there has already been granted to the Elevated, before the inception of this body, by the old Board of Aldermen and the Railroad Commission, the right to rebuild that station. The Elevated has sought, however, to have a new order for this same location, with a change, that the station, instead of being in the middle, an island station, shall be at the side. Some of us took the opportunity to protest against giving that new permission, because of the entrances and exits which would almost completely block the sidewalks at that important crossing. Since that original objection was made the seriousness of the situation has been brought more fully to our minds because the widening of Pleasant street has been authorized. This will undoubtedly change the cross-town cars from Dover street to Pleasant street, making the corner of Washington and Pleasant street a transfer point. The only logical reason for having an elevated station at Dover street now is that at present that is the transfer point. If, however, the transfer point is moved down to the corner of Pleasant and Washington streets, that would be the logical place for the station, especially as Pleasant street will be a wide, broad street, and especially as the trains now stop just before reaching Pleasant street almost always, especially during the rush hours; also because there is a lot of land at that very corner now owned by the Elevated road, which it is prohibited from building upon or using for any purpose except elevated purposes. That is, the road could not build there in order to let stores or apartments. It could, however, build stations on that very spot, with exits and entrances, and not blocking the sidewalk. It would, therefore, seem that there is more reason for objecting to this order at this time than there was when it was first brought up, back in the spring. I sincerely hope that the members of this body will have some concern for the public and will not take up all the space on the sidewalks at the corner of Washington and Dover streets. The Elevated plans show that

only 3 feet remains for the public. Of course, they claim that their station will be larger and will accommodate the public using the elevated for that purpose. That is true, hut the part of the public using the elevated is limited compared with the part of the puhlic using the sidewalks. I sincerely hope that the convenience of the majority will prevail and that we will not grant the Elevated the use of so much sidewalk room at that point. If we were forcing upon the Elevated a large expense, it would be a different matter. But we are not doing so. They have a plot of land at the corner of Pleasant and Washington streets, and it will cost them nothing to use that. They are planning a new station. They must abolish the present station at the corner of Dover and Washington streets, it seems to me. It will cost them no more to huild a new station at the corner of Pleasant and Washington streets than it will one at the corner of Dover and Washington streets, and it is perfectly reasonable that this hody should not give them the privilege of using so much of the sidewalk as is proposed here. It is not, as when we first discussed the matter, a question of forcing them to buy so much land at the corner of Dover and Washington streets. That ceases to he the question. If we do not pass this, they must either operate under the old permit that they obtained from the Board of Aldermen and the Railroad Commissioners or consider this new proposition at the corner of Pleasant and Washington streets.

Coun. ATTRIDGE—Mr. President, this matter of new entrances and exits at Dover street has given me great concern. I have a fairly intimate knowledge of the conditions that exist in that vicinity. I know that if additional entrances and exits are placed at Dover street, on the east and west sides, pedestrians will not have mucb room on the sidewalks. I think I realize that the Boston Elevated Railway Company, if not granted this permission to-day, will not go to the expense of taking private property to benefit the puhlic for tbe purpose of making a station which will more greatly benefit the great mass of people wbo use the station at Dover and Washington streets. Personally I helieve that more station room, more exits and entrances at Dover and Washington streets are necessary. As I said the last time when this was discussed before the Council, the additional entrances and exits will improve conditions at Washington and Dover streets, although at the same time pedestrians may suffer. If it were possihle—which I do not helieve it is—I would favor the Elevated Railway Company being compelled to take private property for these stations. But I do not believe that the officials of the Elevated will do anything of the kind. I believe that if we do not grant the right to the Elevated, the Elevated will do nothing in tbis particular locality. If crowds come to Dover and Washington streets on the elevated structure I think the business men of the South End will not object, if business comes with the crowd. After thinking the matter over, knowing the attitude of the Elevated Company as expressed by its officials who appeared before the Council, my opinion is, although I may be wrong, that it is for the benefit of the people of the district to have more entrances and exits there, whether they he on private property or upon the puhlic way. I want to be fair to the puhlic and I want to be fair to the Boston Elevated Railway Company; but I do not believe it can he said that I have been extremely friendly to that company. Looking at the proposition in a broad way, I think the additional entrances and exits on Dover street are in the nature of a puhlic necessity, something that will he for the benefit of the public, although I admit that they may cause some congestion on the sidewalk.

Coun. SMITH—Mr. President, it is hardly necessary to call to the mind of the Council the fact that the Boston Elevated is perfectly free at the present time to go ahead and build a new station at Dover street. They petitioned the Board of Aldermen for that right and they received it, and they went to the Railroad Commissioners and received that right. It does not require any action of this Board to-day to give them a right to build a new station at Dover and Washington streets. They bave that right already. They have the right to put down four new entrances and exits. They would not have to change the character of their station, as granted under that old permit; hut they come to us and ask the right to change it, and it seems to me it is an opportune moment for us to object to those four entrances and exits. It is the only chance we shall have to object. It is not going to stop the Elevated from building this new station. If we should vote against this order to-day, turning down their request, they would still have a right to go ahead and huild their station as they originally planned. It is not going to hlock the new station, not going to stop the Elevated. It is simply registering our protest against what has already heen granted—these four new entrances and exits. The old Board of Aldermen, a Board to which I think no memher of this body helonged, granted that right, and this Board may very well feel differently on the subject of four entrances and exits there. You are not only going to inconvenience and incommode the foot passengers on the sidewalk, giving them only 3 feet of space at what all of us know to he one of the busiest corners in Boston, hut you are going to crowd some of the foot passengers off into the street and thereby inconvenience the traffic generally. That corner now is one of the most congested corners in Boston, with cars, trucks, teams and foot passengers. The surface cars not only run north and south, and east and west, but they are continually going from Washington street onto Dover street and vice versa, turning the corner, so that you cannot get a much worse tangle than exists at that point. It will leave only 3 feet of the sidewalk for foot passengers, and it will he necessary for them to get off into the street, into a street already crowded with cars and with trucking from South Boston to Boston. That trucking will also probahly increase in the future. I think there is an opportunity for this Board not to stop the new station, because we cannot do that, haven't it in our power, hut merely to vote against this measure as a protest against the four entrances and exits granted in connection with the new station.

Coun. KENNY—Mr. President, I would ask the gentleman at which corner he assumes that there will he but a 3-foot passageway on the sidewalk.

Coun. SMITH—According to the plans that the Elevated has submitted it is the corner now occupied by a cigar store. To be more specific, it is the corner on the South Boston side of the street, and the intown side of the street,—that is, the northeast corner. Practically the same conditions would remain on two of the other corners. That is almost the identical distance that would be left there. The only corner that would have any decent space at all would be the corner where the Grand Opera House now is. We are not passing upon the question whether the Elevated can have a station or not; we are simply entering our protest against that old plan which gives the citizens of Boston using that street only 3 feet of passageway.

Coun. HALE—Mr. President, I would like to say that I hope very much that this will not be carried to-day. I have felt all along that one of the main trouhles with our transportation in Boston is the lack of careful foresight and real study. Here we have a chance not to stop the improvement, as Coun. Smith says, because we have not the legal authority to do that, hut to enter our protest against something that everybody ten years from now will he cursing. What is the use of doing that? I think we ought to advocate, as Coun. Smith says, baving them change their station to the junction of Pleasant street and Washington street, where they will have plenty of room for a good station and where everybody will be served. I think they, as well as we, ought to look farther ahead than the immediate future. I think to have a station at the corner of Washington and Pleasant streets will in the long run be a far hetter solution of the transportation problems there; and I think we should bold this up, as far as we can, hy protesting and making them work out a careful plan. I have noticed all through the controversy that the Elevated has not taken a single step to help us out or to try to solve the prohlem. They have said that this is the only thing to be done, and I don't think we ought to he bulldozed hy them into accepting what they want in this matter. I shall vote against it.

Coun. CURLEY—Mr. President, I have been present at about every meeting of the Executive Committee when this matter has been under consideration. I am one of those who helieve that some time, and perhaps in the not very distant future, there is a possihility that the elevated structure from Castle street to Dudley street will he taken down. But we have to deal with the present situation. Neither Coun. Smith nor Hale will claim that it is possible to establish an island station, such as obtains at Monument

square and at Northampton street, at the junction of Dover and Washington streets. The very fact the councilor points out, that the cars run both ways on Dover street and both ways on Washington street and turn from one street into the other, taken into consideration with the width of Washington street, shows that it is an impossibility to establish an island station there. What is true of Washington and Dover streets would be equally true, and perhaps more true, of the corner of Washington street and Broadway extension, because that is perhaps the narrowest part of Washington street, with the possible exception of the portion near Newspaper row. We have to deal with the present proposition. The number of persons who have been killed or injured because of the crowded character of traffic during certain hours of the day at this particular point is such that it calls for immediate relief.

Coun. HALE—How many? What are the statistics as to the number of people killed or injured?

Coun. CURLEY—Mr. President, I would say that there have been two cases called to my attention within the last year. If there are two that I know of, it is not unreasonable to suppose that there may be twenty times two.

Coun. HALE—Deaths?

Coun. CURLEY—Serious injuries; I will not say deaths. This is a proposition that must be dealt with, and I believe in meeting the evil that confronts us. Let the future take care of itself. The time is coming when that structure will be removed from Washington street, but just as long as the structure remains there and traffic remains heavy at this point, we have to consider the problem confronting us. It is a matter that has been hung up in committees for about seven months, and I believe it is now time to act.

Coun. SMITH—Mr. President, I hardly agree with the last speaker in the idea of letting the future take care of itself. I would rather take the matter in hand now and provide wisely for the future. I am trying to look at the matter from the standpoint of the convenience of the public, and not simply with the idea of what the Elevated wishes us to do. I don't think that the Elevated deserves much consideration in the matter. It has certainly treated this body, as representatives of the public, without much consideration, in connection with these plans, if we are to look at it from the public standpoint. If the plan goes through, the public will have only 3 feet of sidewalk space at the corner of Dover and Washington streets. That is the first thing. Now, the public is not only represented by the foot passengers on the sidewalk, but by the teamsters from South Boston to various points in the city. They will have to dodge more people and be held up, resulting in harder traffic conditions, by reason of people being crowded off the sidewalks onto the street, at the corner of Dover and Washington streets. The next point is, how the public is to benefit by holding this up? Pleasant street is to be widened, and is to be a great thoroughfare from South Boston to Boston proper. It is fair to assume that the cars now running cross town from South Boston will run through Pleasant street, instead of Dover street. Therefore, looking only about two years into the future,—which is not a very long look,—people coming from South Boston across Washington street, desiring to transfer to the elevated, will either have to go into the subway or transfer at Washington and Pleasant streets and walk up to the corner of Washington and Dover streets, getting into this new station that the Board is considering. Therefore, the public will be benefited, its convenience will be better suited, if you hold up this order, perhaps forcing the Elevated to build a station at the corner of Pleasant and Washington streets, instead of at the corner of Dover and Washington streets. Another way in which the public will be benefited, people coming down Washington street and desiring to transfer to the South Station, or coming across town to Washington street and wishing to transfer to the elevated and to get to the South Station, can do so more quickly at the corner of Pleasant and Washington streets than at the corner of Dover and Washington streets. In the next place, the public will be benefited by a station at the corner of Pleasant and Washington streets, because the Elevated can use land that is now lying idle, instead of using street space for its exits and entrances. We are not trying to force the Elevated to buy any land. It already owns land at the corner of Pleasant and Washington streets that it can use for a station. By doing so the road will probably also make quicker running time, because at present trains are held up near that point after they have already stopped at Dover and Washington streets, because of the splitting of the road, one part going off to Beach street and the other part to the North Station and Sullivan square through the tunnel. By having a station at the corner of Washington and Pleasant streets, the trains, which are now delayed there anyway, can stop there instead of at the corner of Dover and Washington streets, and thereby save time, not being held up at that point in addition to their stop. I think that is something that should appeal to the Elevated and it is certainly an important point from the standpoint of the public. We have been considering the plan of the Elevated for seven months here, as Coun. Curley says. We have given them every opportunity in the world to offer a substitute plan. They already have a plan upon which they can proceed, under the permit granted by the old Board of Aldermen and the Railroad Commission. I say that the Elevated in this matter does not need further consideration. It is the public that needs consideration. The public is not benefited by this new station at the corner of Washington and Dover streets. It would be better suited by a station at the corner of Pleasant and Washington streets, which is the more natural transfer point, and which would also save time in the running of the trains. There, also, as far as exits and entrances on the street are concerned, they would be placed on the Elevated's property. I say that the public ought to be considered in this matter and that, as representing the public, we should not pass this new order.

Coun. KENNY—Mr. President, the member who has just taken his seat has stated again that the adoption of this order would leave only 3 feet on the sidewalk for the public. Now, Mr. President, I challenge that statement. According to my minutes, which I took at the time of the hearing, and according to my recollection, at no point at any one of these four crossings is the space less than 4 feet. My recollection is that at one point it is only 4 feet, but at the other points it is 5 feet, 5 feet 6 inches, and 6 feet. The member speaks as if there were but 3 feet space at any point from the side of the staircase to the building that fronts on the street. I desire to be understood as saying that I do not agree with that statement. In the next place I don't think we ought to undertake to force upon the Elevated Railroad at this time the matter of placing the station at the corner of Broadway and Washington streets. If later on Pleasant street is to be widened and if it seems advisable to place a station there, I have no doubt that the railroad will consider the advisability of doing so. But I would maintain that Dover street was the most important point, as between the two, for a station. People coming from Roxbury, the Back Bay and the South End, come to Dover street first. That is the first avenue that extends to South Boston or that extends westerly from the South End to Roxbury. I am not a stranger to that locality. I have lived in South Boston all my life, have been up and down Dover street frequently, and have had occasion to use the street continually. I know the conditions there perhaps just as well as the member who has just taken his seat, and I say that it would be a very great error to take away from Dover street and Washington street the elevated station.

Coun. SMITH—Mr. President, of course I don't want to enter into any controversy as to just the amount of space that would be left there. I am simply quoting the counsel for the Elevated who, according to my remembrance, stated time and time again that there was only 3 feet left at one corner and an inch or two more at other corners, that there was only one corner of the four that would have a decent passageway for the public. Of course, that is a matter of record and easily verified. Perhaps Coun. Kenny does not remember that the counsel for the Elevated told us that they would have to set the steps back from the curb somewhat, thus taking up a part of the space, because of the hubs of heavy teams, which would overlap the curb 5 or 6 inches. So that cuts down the extra space. But, apart from the exact number of inches that would be left, that being a matter of record and not a point to discuss, I do not wish to be misunderstood in my position upon this matter. I am not trying to force the Elevated to buy any corner lot or to

build a station at the corner of Pleasant and Washington streets. I want to point out again that the Elevated asked for a new location at Dover and Washington streets from the old Board of Aldermen and that they were granted that location. That was permitted by the Railroad Commissioners also, and if we turn this down to-day, vote against it, the Elevated can still go right ahead and build a new station there. But if you refuse to vote for this order you are simply protesting against allowing four entrances and exits, which they are allowed to put in under the old plan, but which we would thereby be registering our protest against under the proposed new plan. This simply means entering a protest. They can go ahead, of course, and build under the permit they have already received if we hold this up. But we are simply protesting. I would not claim for a moment that if we refused to grant this the road cannot go ahead and build. It can do so under the permission it has already received. But this does give us a chance to register our opinion of the thing. We are not trying to force anything on them. We are only entering a protest, and I think the protest is well grounded. If they are going to spend a quarter of a million dollars on this new station, we ought, as representatives of the people in this Council and looking out for the people's interests, to protest against their putting a quarter of a million dollar station there at Dover and Washington streets that leaves for the public only a 3-foot passageway. If they are going to build such a permanent station, we ought, looking to the future, to say that 3 feet is not enough space for the public of the city at an important point like that.

President COLLINS—The Chair will state, before voting upon this question, that every time when this matter has been before the Council for consideration the Chair has favored a postponement, his purpose being that there might be some satisfactory solution of the problem. But nothing of the sort has been forthcoming, although some months have passed. As one who uses the elevated every day and who comes in daily contact with the crowds at Dover street, as one who knows the frightfully inadequate facilities there at the present time and who believes that this plan which has been presented is the best plan practicable at that point, although at the same time realizing the bad feature of it that has been referred to, the Chair will vote in favor of the order.

The report was accepted and the order declared passed. Coun. HALE doubted the vote and asked for the yeas and nays.

The report was accepted and the order passed, yeas 6, nays 3.

Yeas—Coun. Attridge, Ballantyne, Collins, Curley, Kenny, McDonald—6.

Nays—Coun. Buckley, Hale, Smith—3.

10. Report on the message of the Mayor and order (referred October 16) for the transfer of $90,000 from the Reserve Fund to an appropriation for Municipal Building, Ward 7—that the order ought to pass.

The question came on accepting the report.

Coun. HALE—Mr. President, I would like to move — not in any spirit of opposition to this improvement, because I have already committed myself several times as in favor of it — that action upon the matter be postponed until after the meeting of the Executive Committee to-day. A certain new question has come up since our last meeting which I think renders it essential that we should delay before we pass certain of these votes,— that is, in addition to this building the playground for Ward 2 and the East Boston library,— namely, the question of the extent of the proposed expenditure for fire apparatus and equipment. The Mayor has gone over the matter very carefully with Commissioner Daly. I understand that Mr. Daly's estimate of the amount needed for changing of the fire-alarm system and various other things, purchase of hose and automobile apparatus, is between half a million and three-quarters of a million dollars. This expense of half a million or three-quarters of a million dollars is an expense that nobody can justify out of a loan, because it is not a permanent improvement, no matter whether you agree with Coun. Smith and myself that expense for permanent improvements ought to come out of loans or with the majority of the Council that they ought to come out of the tax levy. No member of this Council can advocate taking the money to be expended for such improvements as I have referred to in connection with the Fire Department out of loans. We will be faced next year, when this Fire Department question comes up, with the alternative of either increasing the tax rate between 25 and 50 cents or of having to borrow for this thing, for which we really should not borrow. It seems to me the thing to do would be to transfer $250,000 from the Reserve Fund this year for the purchase of fire apparatus and equipment. That will be only about a third of the total, but it will be a big help and may obviate the necessity of advancing the tax rate next year — a thing which we would all hesitate before doing. I have already spoken to the Mayor's office and hoped that he would have sent in by this time an appropriation or transfer covering this. He has evidently not had time to do it yet, however. I have here a resolution transferring $250,000 from the Reserve Fund for that purpose. We have heard many debates this year as to the great need of fire protection, particularly in your part of the city, Mr. Chairman, as well as in other parts of the city; and I hope very much that we will delay acting upon these other matters until we can talk over in executive session — and in the Board later if it is desired — the question of how we are going to raise this three-quarters of a million dollars for the fire service. That is the reason why I make this motion.

President COLLINS—Coun. Hale moves that this matter lie on the table.

Coun. HALE—I am ready to limit the motion so that the matter will lie on the table until we have had a committee meeting to-day and have had a chance to confer with the Mayor and with Commissioner Daly.

It was voted that action upon the transfer orders for Municipal Building, Ward 7, Branch Library, East Boston, and Ward 2 Playground be postponed until after the Executive Committee meeting.

Coun. HALE—At this time I would like to offer, so that it may go with the papers, the rough draft of a resolution, because it deals with a matter which should be discussed at the same time.

Coun. HALE offered the following:

Resolved, That the sum of $250,000 should be set aside from the Reserve Fund for the purchase of fire apparatus and equipment, and that his Honor the Mayor be requested to send in a transfer order covering the same.

President COLLINS—The resolution will be referred to the Executive Committee, under the rules.

Coun. ATTRIDGE—Mr. President, I don't think that that is in order at this time, in connection with a committee report, to introduce a resolution.

President COLLINS—If there is any objection——

Coun. HALE—Mr. President, I guess Coun. Attridge did not hear what I said. I simply asked the privilege of putting this in so that it would be considered with the papers before the Executive Committee. I don't care to have it discussed now.

Coun. ATTRIDGE—That could be done by the gentleman on this side of the Chamber calling it to the attention of the Executive Committee when the papers are before the committee.

Coun. HALE—I think it will be considered as more formally before the committee, if introduced in this way.

President COLLINS—The resolution will be referred to the Executive Committee.

(11) Report on order (referred May 15) to pay Margaret Donaghue the sum of $500, owing to her husband being killed, recommending the passage of the following:

Ordered, That chapter 171, Acts of 1911, entitled "An Act to Authorize the City of Boston to Pay a Sum of Money to the Widow of George A. Donaghue," be and the same is hereby accepted, and the sum of five hundred dollars be hereby paid to Margaret Donaghue, widow of George A. Donaghue, said sum to be charged to the Reserve Fund.

Report accepted; order passed.

(12) Report on order (referred May 22) that the Board of Street Commissioners charge a fee for all permits for use of Apple Island — recommending the passage of the order in the following new draft:

Ordered, That the Board of Street Commissioners be requested to issue permits for the use of camping sites on Apple Island, Boston Harbor, and charge a nominal fee for the same.

Report accepted; order passed.

EXPENSE OF REMOVING WALL, SEAVER STREET.

Coun. SMITH offered an order—That the Boston Elevated Railway Company be requested to state whether they would bear all or any part of the expense of removing a wall now bounding Franklin Park on Seaver street, adjoining their tracks.

Passed.

INVESTIGATION OF PLAYGROUNDS, WARD 19.

Coun. SMITH offered an order—That the Finance Commission be requested to investigate the location of the playgrounds in Ward 19.

Coun. SMITH—Mr. President, my reason for introducing this order is simply because the fears that I have expressed at the last two meetings of the Council have been borne out by the result, the Park Commissioners having decided to use almost the entire amount of money appropriated for the playgrounds in Ward 19 on Parker street, near the Wentworth Institute, at the extreme end of Ward 19. They have, however, as a kind of sop to Cerherus, planned to take a small back yard on the steep slope now occupied hy a stahle right hack of Tremont street as the only playground for a part of the ward that is more densely populated, a part of the ward that originated the $60,000 loan which we transferred, the part of the ward which really should be most considered. This little hack lot, which is good enough to play marhles in hut is hardly good for anything else, represents the remnant of the appropriation that the part of Ward 19 immediately ahout the Mission Church is to receive. The rest of it is to be spent down around the Fenway, within 1,200 feet of the Fenway Playground. It seems to me that such a disposition of the $100,000 which this hody has granted to Ward 19 should he investigated. It seems to me that *prima facie* there is some presumption that that money is being spent under certain persuasion which ought to he explained. If, as the St. Alphonsus Association intimated in the communication which I read at the last meeting, one man is interested in getting the money spent in that way, that man ought to he put on the rack and the reason for selecting that exact site found out in detail. There is to be a meeting of the St. Alphonsus Association to-morrow night upon this suhject, entering a strong protest against the expenditure of this money in this way, giving the kite to the Fenway end of the ward and the tail to the Mission Church end, the part of the ward where it was originally intended that the money should he spent. Father —— called me up on the 'phone to-day and asked if anything could now be done, stating that they would have a meeting to-morrow night to enter a protest. He stated also, and I think he did so without any secrecy, that two of the Park Commissioners had been out there previous to the Board's passing the $40,000 additional and had said that they favored the Mission Church getting the hulk of the money, that that was the part of the ward that should have the playground, that it was the part near the schools, a section where 5,000 children were going to the schools, and that there were no schools at all near. Naturally it would he supposed that the Park Commissioners would say that the more congested section would get the bulk of the money. And yet we now hear what they are planning to do. The Mayor himself went out there and looked over the different locations and gave the impression distinctly that the Mission Church end was the one that ought to get the hulk of the money. Therefore, I ask that this order be passed, that the Finance Commission he asked to investigate the spending of this amount of money. It seems to me there is a presumption against spending the money in this way.

Coun. HALE—Mr. President, I think unquestionahly that we ought to pass this order. Two weeks ago these facts were presented to the Council and the Council refused to consider them. The Council said, "It is none of our business where this playground is placed. We are not responsihle for it." The majority of the Council said that, and yet the memhers must have known from the evidence presented to the Council that these were to he the locations of the playground. The majority of the members simply hid behind a technicality. Now that that technicality has heen shoved to one side and we can see the injustice that is being done to the most important part of the ward, arousing a protest from the most important organization in the ward, the organization that is certainly best fitted to determine the needs of the ward in this manner, I hope the Council will do the best it can to make up for its mistake of two weeks ago, and that it will pass this order.

The question came on the passage of the order.

It was voted, on motion of Coun. CURLEY, that the vote he taken hy roll call, and the order was passed, yeas 9, nays 0.

COST OF LAYING OUT WESTERN AVENUE.

Coun. ATTRIDGE offered an order—That the Board of Street Commissioners be requested to furnish the City Council with the estimated cost of laying out and paving Western avenue from the Charles River Bridge to the Watertown line, either as a state highway or under chapter 393 of the Acts of 1906.

Coun. ATTRIDGE—Mr. President, that is under the law the Highway Act. This order is simply introduced for the purpose of finding out the estimated cost of constructing that avenue, which is a great avenue of traffic hetween Boston, Camhridge, Brighton and Watertown. In my opinion, sooner or later the work must be done, and the information received will be of some benefit, I believe, to the members of the City Council.

The order was passed.

ROPING OFF OF RANDOLPH STREET PLAYGROUND.

Coun. ATTRIDGE offered an order—That the City Messenger be authorized to rope off the Randolph Street Playground on November 30, 1911, for the annual foothall game of the Cathedral Young Men's Catholic Association, the expense attending the same to he charged to the appropriation for City Council, Incidental Expenses.

Passed.

REPRINTING OF ORDINANCES.

Coun. ATTRIDGE offered an order—That the City Clerk he instructed to have reprinted an edition of three hundred copies of Document 47 of 1909, heing the ordinances and regulations passed in the municipal year 1908, the expense to be charged to the appropriation for City Documents.

Passed.

MODERN STREET CARS.

Coun. ATTRIDGE offered an order—That the Boston Elevated Railway Company be requested, through his Honor the Mayor, to dispose of the old rolling stock now in use and equip the road with cars of a modern, up-to-date type.

Coun. ATTRIDGE—Mr. President, within the last few months many citizens have spoken to me ahout the old cars, the old rolling stock that is now in use on the surface lines in the streets of Boston. I have had some personal experience on the street cars in the city. I have seen cars on Tremont street which, in my opinion, were made-over cars, cars coming down from the old street car days and now fitted up for purposes of passenger traffic. I have seen on the Washington street line Field's Corner cars that would be a disgrace to any city, cars that held hut twelve persons on a side, the old four-wheeled cars. At the present time, or on June 30, 1911, the equipment of the Elevated is as follows: Box cars, for the surface, 20-foot hody, 282; hox cars, surface, 25-foot hody, 1,163. It is true that the Elevated has put on some new cars. The company has had huilt fifty prepayment cars, so called, which, in my opinion, are modern, up-to-date cars. This pamphlet, which is issued hy the Elevated road (referring to the fourteenth annual repoit of the directors of the road for 1911), states that fifty more of these prepayment cars have been ordered, making a total of one hundred

prepayment cars. Boston is supposed to be a modern, up-to-date city, but the street cars in use in Boston do not compare favorably in appearance or in general usefulness with the street cars in many other cities in the country—or, in fact, with the cars used in many of the small cities of the country. I believe that the Elevated Railway Company could very well dispose of some of its old rolling stock, which is unfit at the present time for passenger service, in my opinion, and that it could very properly purchase more of these modern prepayment cars for the benefit of the public. I believe that this little booklet, this report of the directors of the Boston Elevated Railway Company, shows that the Elevated Company is not poor and is not in hard financial straits. This should be done for the benefit of the traveling public. I have personally heard many complaints from citizens of various sections of the city in regard to the car service in that respect.

Coun. SMITH—Mr. President, while I do not in any way wish to defend the cars of the Elevated or the Elevated Company as such, I would like to ask, for information, whether this has any binding force on the Elevated?

Coun. ATTRIDGE—Mr. President, it is just a request from the City Council of Boston, if passed, and has no binding effect. It is just a request from public servants and representatives of the citizens of Boston to the Boston Elevated Railway Company, a public service corporation.

Coun. SMITH—Mr. President, while we all may and undoubtedly do wish better cars on the elevated, before we make such a request as that we would want to know whether it was a reasonable request or not. In order to know whether we are making a reasonable request upon the Elevated, we ought to know what its financial condition is. What its financial condition is has been a mooted point in the Legislature for some years. I don't know whether Coun. Attridge has it at hand or not, but if he is prepared to show us that the Elevated can, without endangering its own financial standing, substitute new cars for old, I shall be glad to vote for such an order.

President COLLINS—The question is on the passage of the order.

Coun. SMITH—Mr. President, I would like to ask a moment's time, if Coun. Attridge wishes it, before he answers the question I have asked. He seems to be looking up some data on the subject.

A little later in the session Coun. ATTRIDGE said:

Mr. President, I have here the fourteenth annual report of the directors of the Boston Elevated Railway Company, for 1911, under date of October 31. In reply to the gentleman on the other side of the Chamber (Coun. Smith), I would say that on page 8 of this report it is stated that a dividend was paid on February 15 of this year of $598,500. That, of course, shows that the Elevated Railway Company is making some money. It is paying a dividend to the stockholders. The general balance sheet, which is on page 12 and page 13, states the assets and liabilities of the Boston Elevated Railway Company. The total assets are $46,778,107.98, and there is a surplus, after deducting liabilities, of $915,659.14—nearly a million dollars surplus. Besides that the Boston Elevated Railway has as a reserve in the treasury $3,991,314.75,—which is, of course, a protection to the company in case of damage suits,—a damage reserve, an insurance reserve, a depreciation reserve and a dividend reserve. Irrespective of that amount of money which is kept here we have $915,000 which the Elevated has as a surplus over and above all its expenses; and, at the same time, adding that to the reserves, which are kept by the company for its protection, it totals nearly four million dollars—$3,991,314.75.

Coun. SMITH—Mr. President, I think Coun. Attridge ought to be thanked for calling these figures to our attention, but really they do not help much, because we don't know yet what reserve the Elevated ought to keep, as a conservative corporation. We don't know yet what it would cost the Elevated to replace old cars with new, as Coun. Attridge has requested. It must be borne in mind that an ordinary electric corporation should set aside each year for depreciation about 22 per cent, and whether or not the Elevated is doing this would be an interesting inquiry. If the Elevated is not earning enough to do this, of course we cannot in fairness ask it to buy new coaches in place of old. Probably Coun. Attridge would be the last man to suggest that the stockholders of the Elevated should receive no dividends whatever. They are only receiving at the present time 6 per cent on their investment, and they cannot receive anything beyond that point without the City of Boston sharing in such dividends. It really seems to me that he has got into a problem which is beyond the scope of this body. I am very glad indeed to request the Elevated to do anything within reason; but, at the same time, I do not want to make an unreasonable request of them, and especially a request made, on my part at least, in ignorance. We might as well attack one corporation in town after another, requesting each of them to give better service in one respect, and possibly we would be hitting the nail on the head in some cases. But I don't think up to the present time that this request has been proven to be a fair request.

Coun. KENNY—Mr. President, I trust that this resolution will go through, for, after all, it is only a quiet way of notifying the Elevated Railroad that its stock is becoming seedy. We cannot make them do what is here requested. No matter how much we may debate the matter this afternoon or evening, it will have no positive bearing on what they may do. But this is merely one way of calling attention to the fact that their rolling stock is becoming seedy, and that we hope they will provide better rolling stock. It is merely the expression of a hope. For that reason I am going to vote for it.

Coun. HALE—Mr. President, through you I would like to ask Coun. Attridge if he has any idea as to the amount of money that has been expended by the company in putting on new cars during the last year?

Coun. ATTRIDGE—Mr. President, I don't know the amount of money which has been spent by the Elevated, but the report of the Elevated here says that the road has built fifty prepayment cars, so called.

Coun. HALE—Mr. President, I think we would probably all agree as to the essence of this order — that is, simply that we feel that the Elevated should make every effort possible, consistent with good service, to put on new cars, and if an order passes the City Council calling attention to the fact that we are not satisfied with the present situation, it would probably hurry them. I would like to suggest amending the order so as to read as follows:

"That the Boston Elevated Railway Company be requested, through his Honor the Mayor, to investigate and report to his Honor upon the practicability of disposing of the old rolling stock now in use and equipping the road with cars of a modern, up-to-date type."

Coun. ATTRIDGE—Mr. President, I have no objection to the amendment as offered by the gentleman on this side of the Chamber. I think the order as amended will serve to call to the attention of the Boston Elevated Railway Company the fact that there are many cars in the streets of Boston to-day used as passenger cars that should not be so used.

The amendment was adopted, and the order as amended was passed.

MUNICIPAL BUILDING, WARD 7.

Coun. HALE offered an order—That the sum of ninety thousand dollars ($90,000) be and hereby is appropriated to be expended under the direction of the Superintendent of Public Buildings for Municipal Building, Ward 7, and that to meet this appropriation the City Treasurer be and hereby is authorized to issue bonds or certificates of the city to said amount.

Referred to the Executive Committee.

BRANCH LIBRARY, EAST BOSTON.

Coun. HALE offered an order—That the sum of fifty thousand dollars ($50,000) be and hereby is appropriated to be expended under the direction of the Trustees of the Boston Public Library for Branch Library, East Boston, and that to meet this appropriation the City Treasurer be and hereby is authorized to issue bonds or certificates of the city to said amount.

Referred to the Executive Committee.

PLAYGROUND, WARD 2.

Coun. HALE offered an order—That the sum of fifty thousand dollars ($50,000) be and hereby is appropriated to be expended under the direction of the Park Commissioners for playground accommodations in Ward 2, and that to meet this appropriation the City Treasurer be and hereby is authorized to issue bonds or certificates of the city to said amount.

Referred to the Executive Committee.

TRACKS ON BEACON STREET.

Coun. BALLANTYNE presented a petition, signed by Charles F. Hill and others, residents of Brighton, asking that surface tracks be laid on Beacon street, from Massachusetts avenue to Charles street.

In connection with the petition Coun. BALLANTYNE offered an order—That his Honor the Mayor be requested to ask the Boston Elevated Railway Company to lay tracks on Beacon street, from Massachusetts avenue to Charles street, for the accommodation of patrons of said railway.

Passed.

FIREMEN'S MEAL HOURS.

Coun. BALLANTYNE offered the following:

Resolved, That it is the opinion of the City Council that the adoption of the recommendations of the Fire Hazard Commission to increase the so-called "periods" of meal hours for firemen from three to four would be a hardship to the members of the department.

Resolved, That in the opinion of the City Council the present system of meal hours should remain unchanged.

Coun. BALLANTYNE—Mr. President, this resolution refers to the arrangement for meal hours for the entire Fire Department. As I understand it, at the present time the meal hour period starts at 6.45 a. m., 11.45 a. m. and 4.45 p. m. That is, there are from three to four men in each company who go to breakfast at 6.45 in the morning, the same number at 8, and the same number at 9.15. Take a company with fourteen men, there are always two, and sometimes three, on days off, and if you let four men out for breakfast or dinner at a time it leaves the company very short handed. There is one period in the forenoon, between 10.30 and 11.45, when the company has its full force in hand, with the exception of the men who are having their days off, and that is the period in which the men are used to performing such duties as devolve upon them by the present regulation —such as the painting of hydrants, the carrying of messages to headquarters, salting of hydrants, and other duties that pertain to their work during that hour. If the system recommended by the Fire Hazard Commission was put into effect it would give us four periods, commencing at 6 a. m., and having the last men return from their meals at 10.15 in the evening. I think that that is a great hardship on men who make it a point to go home to their meals. Where a fireman is going home at six o'clock in the morning, his wife has to get up not later than five to have his breakfast ready for him; and then others are going home at 9.30 in the evening for their dinners. I think it would be very hard for many of these men. Besides, it would be a great hardship on these men to find time to perform these other necessary duties which I have enumerated. Either they would suffer, or the people of the district would suffer from the depleted condition of the company. I sincerely trust that the resolution will pass and that this Council will go on record as favoring these men being treated in a fair manner in the distribution of their meal hours. I have no objection to the suggestion of my brother on the right here (Coun. Hale) to have this matter referred to the Executive Committee, and I would so move.

The resolution was referred to the Executive Committee.

DISTRIBUTION OF BOOKS.

Coun. BALLANTYNE (for Coun. McDonald) offered an order—That from the balance of the edition of the volume entitled "The Consolidated Statutes Relating to the City of Boston, 1908," now in the custody of the City Messenger, one thousand copies be set aside for free distribution under the direction of the Committee on Printing, the remaining copies to be sold and accounted for as provided in the order approved November 7, 1908.

The question came on the passage of the order.

Coun. SMITH—Mr. President, I know nothing about this, whatever. I wonder if Coun. Ballantyne, in Coun. McDonald's absence, can give us any light on what is to be done with the thousand volumes.

President COLLINS—If there is no objection the Chair will refer the order to the Executive Committee.

RECESS TAKEN.

The Council voted at 4.37 o'clock p. m., on motion of Coun. KENNY, to take a recess subject to the call of the President.

The members of the Council reassembled in the Chamber and were called to order by the President at 5.40 o'clock p. m.

COUNTY ACCOUNTS.

Coun. CURLEY, for the Committee on County Accounts, submitted the following:

(1) Report on message and order (referred to-day) transferring $3,000 from the appropriation for Reserve Fund to the appropriation for Superior Court, Civil Session—that the order ought to pass.

Report accepted; order passed, yeas 9.

(2) Report on message of Mayor and communication (referred November 13) relative to additional allowance for clerical assistance in Superior Civil Court—recommending the passage of the following:

Ordered, That in addition to the amounts heretofore allowed for clerical assistance in the office of the clerk of the Superior Court for Civil Business for the County of Suffolk, for the financial year 1911–12, there be allowed the further amount of three thousand dollars; said sum to be charged to the appropriation for County of Suffolk, Superior Court, Civil Session.

Report accepted, order passed, yeas 9.

(3) Report on message of Mayor, petition of clerk of Superior Criminal Court (referred to-day), and order authorizing transfer of $1,500 from the Reserve Fund to the appropriation for Superior Court, Criminal Session— that the order ought to pass.

Report accepted; order passed, yeas 9.

(4) Report on petition of clerk of Superior Criminal Court (referred October 30) for additional allowance for clerical assistance — recommending the passage of the following:

Ordered, That in addition to the amounts heretofore allowed for clerical assistance in the office of the clerk of the Superior Court for Criminal Business for the County of Suffolk, for the financial year 1911–12, there be allowed the further amount of one thousand five hundred dollars ($1,500); said sum to be charged to the appropriation for County of Suffolk, Superior Criminal Court.

Report accepted; order passed, yeas 9.

FINANCING OF MUNICIPAL IMPROVEMENTS.

Coun. ATTRIDGE—Mr. President, I desire to move that the reports and orders from the Executive Committee for the appropriation from the Reserve Fund of $90,000 for the municipal building, Ward 7, $50,000 for branch library, East Boston, and $50,000 for playground, East Boston, with communications, be taken from the table.

Coun. HALE—Mr. President, I rise to a point of order. I don't think all the papers before the Executive Committee and passed upon to-day have been reported as yet. I think they should come up before these orders. I do not understand why the Clerk has not reported them. There are three items on which I know the committee reported "ought not to pass" that have not come in.

President COLLINS—The Executive Committee has as yet made no report.

Coun. HALE—I understand that the vote was passed.

President COLLINS—Yes, the matters were acted upon in committee to-day. The Committee on County Accounts has made a report, but the Executive Committee so far has made no report. Accordingly, the point is not well taken.

Coun. SMITH—Mr. President, I ask whether the proper procedure would not be to wait for the committee's report.

President COLLINS—When a matter is upon the tahle it is in order for the Chair to recognize a motion to take the matter from the tahle. Accordingly, the Chair is constrained to entertain the motion to take from the table, as made.

Coun. SMITH—And yet it is made by Mr. Attridge, the chairman of the Executive Committee, which committee has some reports to make here.

President COLLINS—But thus far there has been no report made from that committee, Coun. Smith.

Coun. SMITH—May I ask Coun. Attridge if he has a report to make for the Executive Committee?

Coun. ATTRIDGE—Mr. President, I desire to say through you that the Executive Committee will make its report this afternoon. There is a report to he made.

Coun. BALLANTYNE—Mr. President, I desire to say that earlier in the session the matters which the councilor has now moved he taken up were laid on the table until after the meeting of the Executive Committee, that nothing was said ahout their remaining on the table until after the report of the Executive Committee. So I trust that the matters will he taken up.

Coun. SMITH—Mr. President, may I ask Coun. Attridge a question?

President COLLINS—By unanimous consent. The Chair will rule that a motion to take from the table is not debatahle, hut that a member is allowed to address the hody by unanimous consent. The Chair hearing no ohjection, the councilor may ask a question.

Coun. SMITH—Mr. President, will Coun. Attridge, as chairman of the Executive Committee, object to stating whether there is any reason for calling up the orders he has called up, giving them precedence to his own reports of the Executive Committee?

Coun. ATTRIDGE—Mr. President, I have no reason—that is, no ulterior purpose or motive—in calling these things from the tahle. As I remember it, Mr. Hale, the gentleman on this side of the Chamher, made a motion to lay those three orders on the table until after the meeting of the Executive Committee, and at the same time he introduced a resolution having a hearing on three orders before the committee. Those matters have heen acted upon by the committee, and I think the procedure I now suggest is a fair one. I am not trying to take any advantage of any member of the Council, but I think the calling up of those three appropriation orders is a fair mode of procedure.

Coun. SMITH—Mr. President, I would like to ask the gentleman a question. If we are reversing the order, and if Coun. Attridge sees no reason for doing it, would he object to having the reports of the committee first?

Coun. McDONALD—Question!

The motion to take the reports and orders referred to from the tahle was carried by a rising vote, 7 to 2.

President COLLINS—If the Chair understands the councilor correctly, the first order that he called up was the order for the municipal building in Ward 7. That order will he taken separately.

The question came on accepting the report of the Executive Committee and passing the order appropriating from the Reserve Fund $90,000 for municipal huilding, Ward 7, reported earlier in the session.

Coun. SMITH—Mr. President, it may as well he stated in connection with this order that there is a report on a loan for this item coming before the hody, and that in dealing with one a person necessarily has to consider the other. It is unfortunate that the report of the Executive Committee could not come first, before this matter was taken up. Then the Council would have been in a position of first passing on the loan order and, as I understand the temper of the Council, killing that order, and then passing on to the appropriation. As it is now, a person must vote on the appropriation not knowing the outcome of the other order. While we are all, I think without exception, in favor of the purpose of the appropriations we may differ radically as to the method of raising the money. Personally my belief is that a new building, involving purchase of land and erection of a huilding, is the proper subject for a loan, especially when the amount of money that we can borrow is ample to cover it. In this opinion I am not alone. I do not intend, of course, to weary the Council on this matter, but will simply say that hy outside authorities the ground that I take is taken for granted. For instance, in the "Literary Digest," the last issue, there is a criticism of city finances, and no suggestion was made that all improvements should come out of taxes. It is taken for granted that cities should make new permanent improvements out of loans. Then, taking the opinions of people around town with whom I have talked, gentlemen whose names you would know if I should mention them and who are the highest authorities on city planning and financing, they are all of one mind on the idea that permanent improvements should be provided for hy loan, that they are proper subjects for the issuing of honds. We must of necessity issue serial honds in this city. We cannot have the old system that the state still uses of issuing bonds to mature at one time, with provision for a sinking fund against them. We under the law issue serial bonds. We cast on generations to come the hurden of paying their part of the improvements hy which they are benefiting. I have even gone farther than to consult local authorities on this subject and to talk with local people of prominence. I have gone as far as Washington. The President's "Commission on Economy" is unequivocally of the same opinion that I am expressing here. I have a letter in my pocket from the head of that commission. I have asked his permission to make it puhlic. I wrote the letter asking his permission Friday and have received no answer as yet. I have no douht, however, that I will have authority to bring that expression of opinion before the public, to the effect that the proper method of financing permanent improvements is hy loans. The question is, whether this year differs from other years? It is said that because the city has had a windfall of $492,000 this is an exceptional year. Quite right, it is an exceptional year; hut we have exceptional expenses to meet, and in view of those expenses there is no reason why we should digress from the ordinary rule of making permanent improvements from loans, no reason whatever. We have the Cove Street Bridge, a debt on the city which cannot be met by loan, that must he met from the tax levy. Nobody would favor borrowing money to pay damages on a bridge. We must take that out of the tax levy, and Mr. Mitchell, the auditor of the city, tells me that there is no way of judging whether that will he three-quarters of a million or a million and a half dollars. There is a contingency against which we should maintain a large amount of reserve. There is the fire apparatus. The Mayor's own commission has recommended spending three-quarters of a million dollars to purchase fire apparatus. As one, I am not in favor of buying fire apparatus hy loan; and there is a large amount of money that we ought to keep at least something of the reserve against. I want to see the apparatus of the city changed over. Such districts as Parker Hill ought to have automobile apparatus. Not only that, hut Dorchester ought to have it, in order to reach the scene of a fire quickly; and if this figure of $750,000 is anywhere near the mark, we ought to keep some money in the Reserve Fund against it. Then, there is the matter of pensions. Under the law we are ohliged to pension off the Civil War veterans. We have asked in this body time and time again some estimate of the amount that the pensions will take. Nobody would advocate taking those pensions out of loans. I don't suppose even the most radical memher of the Board on matters of high finance would advocate taking it out of loans. And yet we are faced with that amount of money, which is a douhtful quantity. We don't know whether it is going to take $100,000 or half a million dollars. There are three subjects against which we ought to maintain some rescrve. We ought to maintain some reserve against the ordinary contingencies of disaster—about $100,000 at this time of year. It seems to me we have ample use for the Reserve Fund now on hand and we should build these permanent improvements, according to all the authorities on finance, out of loans. Under these orders we are asked to build them out of appro-

priations. I am heartily in favor of Ward 7 having a municipal building. I think I have advocated it as much as anyhody here; and I am also heartily in favor of the other matters coming up to-day. In the matter of a playground for East Boston and a library for East Boston, my position has always been in favor of the playgrounds and certainly nobody has heen more active on this floor than I for additional hranch libraries. Yet I sincerely helieve—and I think my helief is horne out hy facts—that you are building these permanent improvements in the wrong way, that in building them out of appropriations you are dccreasing your Reserve Fund, and that you ought to huild them out of loans, because you have loan money enough available to borrow for these purposes. I hope the loan orders will he taken up in connection with this discussion of appropriations for these objects.

Coun. HALE—Mr. President, without going into a discussion of the theory that should he recognized, all I have to say on the matter is that I agree heartily with Coun. Smith, and that President Taft's commission, which has heen investigating in New York, and is now investigating the federal departments, also says that in theory permanent improvements ought to come out of loans and not out of tax levies. But, waiving the theoretical discussion, I want to point out just exactly where this action of the Council is leading, so far as I can. In *City Affairs* of September last the Good Government Association published quite an exposition of the attitude that the Council ought to take in regard to permanent improvements. The first step which they advocated, which they suggested and which was later indorsed and adopted hy a majority of the members of the City Council, was to take the strictly recurrent permanent improvements out of the tax rate,—those specifically mentioned by the Good Government Association being three in numbers, sewers, making of highways and schools. Everyhody who has gone into the suhject with any care at all—and I think I would include the whole Council, hecause I think we are all agreed on that particular point—would say that the permanent improvements which are strictly recurrent are the ones which ought to be first taken out of the tax rate ahead of the miscellaneous permanent improvements which are not annually recurring. I think we are all agreed on that. The Good Government Association has expressly stated that that is its opinion, I know it is Coun. Smith's and my opinion, and I presume it is the opinion of the rest of the Council. Now, we have at present $408,000 in the Reserve Fund. Next year we have the alternative of putting up the tax rate 50 cents, or of taking hack the position which we have stood for this year and which the Good Government Association has advocated. I can see no way out of that, and I do not believe any memher of the Council can see a way out of it. The sewers that we can without legislative act take out of the tax rate amount to $300,000. The Council, to maintain the attitude taken this year,—and I think the right attitude—ought to go to the Legislature and advocate changing the law in regard to separate system of drainage so that that $500,000 might come out of the tax rate. That is the policy advocated by the Good Government Association, and it has heen accepted by the Council. That would mean $800,000. That is going to result in an increase in the tax rate of over 50 cents. I have not said a word so far about this question of fire apparatus and equipment, for which Mr. Daly says $750,000 is needed, or ahout the seventy-five or one hundred additional firemen, which were so strenuously advocated earlier in the session. In other words, gentlemen, we have got to decide to-day what the action we are to take is going to mean. Certainly, if Mr. Smith's and my attitude is correct, if any improvements ought to come out of loans these improvements now proposed should. If we do not adopt the policy advocated by Mr. Smith and myself to-day we will have to decide next year between an increase of the tax rate, which means practically a $17 tax rate, or you will have to take back your position of this year; and I would hate to have the Council do either. I agree with the position you have taken this year on strictly recurrent permanent improvements, and have from the first; hut these matters now before us are entirely different. Certainly we do not want a $17 tax rate. I hope you realize that that is the alternative you are running into, and I hope you will not allow personal friction and personal desire to overcome the votes of Mr. Smith and myself; that you will not allow anything of the sort to overcome your foresight and wisdom as to what is to happen next year.

Coun. KENNY—Mr. President, it seems that every time this subject of transfer or appropriation is hrought up the special financial policy of some memhers must he aired here. As I understand it, a $16.40 tax hill this year meant ahout a million dollars surplus, more than the current needs of the city required in the way of fixed expenditures; that our tax bill of $16.40 not only paid the running expenses of the city, but left us almost or ahout a million dollars in excess of what might he used——

Coun. HALE—Mr. President, I would like to ask the gentleman a question. Will he please tell the Council how much unexpended surplus was received from the year hefore?

Coun. KENNY—At the heginning of this year there was $1,400,000 in the treasury, which remained over from last year. At the heginning of the first year of Mayor Fitzgerald's present administration he had ahout $900,000 from Mayor Hihbard's administration. Of the $1,400,000 left from last year we spent $800,000 at the heginning of the year for a new City Hall. But I say again that under the $16.40 tax bill this year we had about a million dollars more than was necessary to run the City of Boston. Now, what do we stand for? We say that this excess shall he spent for what? For suhstantial permanent improvements, and that until that money is spent we are against horrowing money. That is the position of the Council and that is the policy of the Council. We do not propose to pile up the deht of the city, which is to-day the third largest per capita debt in the country, and, including the metropolitan park deht, the largest municipal debt in the country. We say that the City of Boston, for the preservation of its securities, its credit and the good name of the city, must stop horrowing money, and that we must spend the money that the citizens are gladly contributing hy way of taxes hefore we borrow money.

Coun. HALE—Mr. President, may I ask the gentleman a question?

Coun. KENNY—No. I think the gentleman had hetter make a minute of what he wishes to ask, and when I have finished I can answer just as well. Therefore I say that that is the policy of this Council, so far as we can—to stop horrowing money, to stop piling up the deht, to stop looking for avenues of expenditure. Here is an opportunity. We have the money. Here is a chance for investments, if you please. I call them investments when they are paid for. I think the $800,000 that we spent this year for a new City Hall is the best money the city ever spent. Talk ahout borrowing money. Look at what has been done in the past. Go up School street, Tremont street, to any part of Boston, and what do you find? Streets paved out of loans. Just think of it,—the City of Boston borrowing money to pave its streets. That policy has heen arrested, that policy has been stopped in Boston; and the stopping of it is in line with the pay-as-you-go policy when you have the money, not horrowing money when you have it on hand. I say, let us judiciously and wisely spend this excess, this sum greater than is required; spend it judiciously, for the henefit of the people of Boston, and stop piling up the deht. The people of Boston are willing, so far as I am able to judge, to meet a $16.40 tax bill. I remember when we made our visitations a year ago, last winter, one gentleman in Charlestown, if I remember, Mr. O'Riorden, who got up and said, "Gentlemen, let the tax bill he what it should he. We are willing to pay our taxes, hut give us the henefit, give us some improvements." That is what we are doing. We are taking the money the citizens have suhscrihed and are spending it for the City of Boston. The action that the Council is ahout to take is, I think, in line with good finance, good common sense, good judgment. It is applying to the husiness of the citizens of Boston the same rules that we would apply to our own business; and when we do that, Mr. President, we cannot he in error.

Coun. HALE—Mr. President, as far as the $16.40 tax rate giving a million dollars extra, that is a question of fact. I simply doubt Mr. Kenny's figures. It is not a question of argument. As far as the question of horrowing is concerned, I am awfully sorry if I did not make it clear that the question before us is not now exactly what we have had in the past. The question, in my mind, is whether this year we are going to borrow for a

library, a ward room and a playground, or whether next year we are going to have to borrow for fire apparatus or for sewers? It is not a question, as it was possibly at the beginning of the year when we had a larger Reserve Fund, as to the theoretical question on which Coun. Smith and I believe one thing and Coun. Kenny and the rest of the Council—with some possible exceptions—believe another thing. It is simply a question of whether we are going to borrow now for these really permanent improvements, or whether we are going to be in the position next year of having to borrow for things like paving, a practice which Coun. Kenny so ably denounces, and in that attitude nobody is more in sympathy with him than I. I hope the Council realizes that that is the question, and not the other question; that the issue before us may not be befogged, and that the Council may not this year take a stand which it will be sorry in years to come, after careful analysis of the principles involved, that it took.

Coun. SMITH—Mr. President, I think Coun. Hale has ably set forth the exact question before us—whether we should borrow now for permanent improvements, and then not be able next year to pay out of the tax levy for the annually recurring expenses, such as sewers, highways and schools? That is the exact question before us. As long as the question of theory has been raised, however, it may be necessary to say one or two more words. Nobody here, of course, is advocating the old style of loan. Any reference to loans for the paving of streets is entirely out of place, because nobody that I know of in this Council is advocating any such loan. What we are advocating is what has been advocated and accepted as a fact in all cities, that for permanent improvements you shall borrow money. In Boston we must borrow that money in a serial form, so that, instead of taking it all out of the tax rate and paying for it all in advance, and throwing all the burden on the taxpayers of one year, you are distributing that burden over the taxpayers of several years, within the life of the improvement, among the years that are benefiting, profiting by that improvement. That is the only question, as far as theory is concerned, and there is no question on that point except in this Council. Nobody outside, no other city, considers such a proposition as building a City Hall, for instance, and laying the entire burden on the taxpayers of one year. I frankly say that I regret my vote on that City Hall proposition. Why, the idea of it. Springfield and Portland, Me., to-day are building city halls, and would not think of requiring the taxpayers of one year to pay for them, when the taxpayers for a great many years to come are going to enjoy those city halls. The proposition would not even be considered or suggested; and yet the majority here believe, and I presume honestly believe, that the taxpayers of last year should be soaked $800,000 for a City Hall, which is to last perhaps for the next fifty years. That is the theory, in a nutshell. I frankly regret my vote on the City Hall matter, and do not believe it was proper financiering. Springfield builds its city hall from bonds, as does Portland, Me., and any permanent acquisition to the city, such as a playground, a new building, a new creation of capital, is a proper subject for bonded indebtedness, especially when it is regarded as a serial issue and distributed over a number of years. The reference to what we do in our private business is a good one, but I think it is wrongly stated. Any big business corporation in this country would bond a permanent improvement, because it is the cheapest method of financing that improvement. They all recognize the fact, that if they are to buy 20,000,000 acres of land or build a $100,000,000 station, the stockholders of a particular year should not be expected to bear the burden of that. You ought not to take away all the earnings of that one year from the stockholders and put them into any one permanent improvement, such as a station. No more should you take all the money from the taxpayers of one year and put it into a new City Hall. This is a perfectly simple proposition. It does not seem to me that there is a question of doubt on that point. The newspapers of Boston do not seem to have any question in regard to it. The Boston *Globe* comes out frankly and states that the bonding method is the correct method, and even the *Herald*, which started on one side and wound up on the other side, its last position being that these permanent improvements should be built out of loans. The President's commission on "Economy and Efficiency" frankly takes that attitude; the professors who write on the subject frankly take that attitude; you talk to big business men of the city and you will find that they frankly take that attitude. The only question possible is whether this year differs from other years. I have pointed out where I think it does not differ. While we had a windfall this year, and the burden on the citizens is smaller, nevertheless the things we have had to face and pay for out of appropriations have increased proportionately. We have the Cove Street Bridge hanging over us, the increased fire apparatus that is necessary. We have the pensions and we have necessary expenses under the garbage contract. I believe those are burdens which will offset the extra Reserve Fund. I certainly hope that the Council to-day can thrash this matter out and take a final stand upon it. I for one am thoroughly in favor of paying for these permanent improvements out of loans, and I am going to take this attitude on this special question. If this body sees fit to take this money from appropriations, I am going to vote against it, for this reason, that it will not affect the vote itself. You will have a majority, just the same. The improvement will be accomplished. If I thought the improvement was in danger, in spite of my belief that it is being done in the wrong manner, I would vote for it. I frankly am in favor of every one of these three improvements, and I shall vote in favor of them if there is danger of their being lost; but if the majority of this Council is so much against me that I can safely vote in opposition, I will do so, simply to register my protest against the method by which the money is being raised. I want to make that perfectly plain, that I am voting in protest against the way in which the money is being raised and not against the objects themselves.

Coun. KENNY—Mr. President, I wish simply to add one or two words to what I have already said. To hear the argument of the member who has just taken his seat you would think that the moneys that have already been spent in years past counted for nothing. In other words, we are enjoying to-day in this city, buildings, parks and other facilities which have already been paid for by the generations in the past. According to his view, there is nothing here which has been paid for by those who have preceded us, and everything we do now or hereafter must be paid for in serial form, in order to ratably or equitably apportion the expense,— forgetting that we have in Boston to-day ——

Coun. SMITH—Mr. President, I would like to say just a word—not a question, but simply a correction of the statement as to my position. I do not wish to be mis-stated, that is all, if I am allowed to explain my position. I would like to ask the gentleman if I may be allowed to explain it.

Coun. KENNY—Mr. President, I would rather have the gentleman wait until I get through. You will then have an opportunity,— forgetting that we in Boston to-day are enjoying millions of dollars' worth of property already paid for. Now, doesn't one hand wash the other? I object to having it stated on the floor of the body that this Council is against borrowing money. Of course, we must borrow money at times. If the gentleman will look at page 30 of the last auditor's monthly report, dated November 1, he will see there a list of loans, money borrowed this year, totaling almost $3,000,000. Some of these loans were fixed by statute and were compulsory. We were obliged to borrow the money. So let us be clear on this matter. Let it not go out that we are against borrowing money. There are times when we must do so. But why, in the name of common sense, when we have a million dollars more than is necessary, raised by taxation, should we not spend that money judiciously and fairly? If there is any reason, it is beyond my comprehension. The member from Ward 11 (Coun. Hale) raises some question about my figures. I think if he studies the situation he will find that my figures are about correct. We put about half a million dollars in the Reserve Fund this year and appropriated in the summer out of that something approaching $300,000 in special appropriations, which might very well be first put into the Reserve Fund. In view of the fact that I believe we are going to have $700,000 or $800,000 on hand this year, unexpended from the departments, that I have not considered at all,— and it is not entirely in view of that fact, either, but nevertheless we are likely to have that amount,—

that will bring it up to over a million dollars. But I do not object to this $16.40 tax hill. I think it is a just tax bill. I think the people are prepared to pay such a tax bill. I only say, let us get out of that money all we can for the advantage of the city.

Coun. HALE—As far as the figures $700,000 or $800,000 that the gentleman has referred to are concerned, I will only say what I said about the other million, that I douht it. I have talked with the City Auditor and the Mayor, and I believe there is no idea on the part of either of them that there will he the $700,000 or $800,000 spoken of. Anyway, it is only a question of guesswork. On this matter I would like to give a little historical expression of my views. Five or ten years ago the theory at City Hall—if there was any theory at all — was that you could issue honds for anything, and honds were issued indiscriminately. As Coun. Kenny says, paving was paid for out of honds, and all kinds of current expenses were paid out of honds. Then, three or four years ago, Mr. Ernst, for the School Committee, devised what was then considered a more or less revolutionary theory — that where a permanent improvement was bound to come every single year with the growth of the city it would be good financial policy to take that kind of permanent improvement out of the tax rate. I remember that ten years before Mr. Ernst made that suggestion an article was written to that effect in one of the economic monthlies, hy Mr. Durand, now director of the United States Census, suggesting that as a possible theory. I personally am in hearty accord with that theory. That was the first step, as I said before, advocated hy the Good Government Association of this city, and in this city there are three items that come in under that, the sewers, the highways and the schools. Aside from this question, taking miscellaneous improvements, permanent improvements, like lihraries, playgrounds, city halls, and so on, as Coun. Smith has said, we think, and we helieve the majority of the people outside of this City Council think, that they should come out of bonds. But there is another side of this question which we have not touched on and that I want to touch on now. Admitting for the sake of the argument that the majority of the Council are right and that Mr. Smith and I are wrong in regard to the horrowing of money for permanent improvements, another factor comes into the situation. As you prohahly all know, the amount of money which the city can raise in any one year by taxes is limited by statute. Now, I have been over for the last six years very carefully the amount appropriated and the amount legally possihle to appropriate, and I find that that sum varies from $600,000 to $1,200,000. I think those figures are rough, hut they are approximate. The figure certainly does not exceed $1,200,000. I have stated it on the conservative side. In other words, there is a margin of a little over a million dollars which the city can take out of the tax rate or by tax levy, greater than it needs for ordinary current expenses. The increase in valuation hy which the tax limit is fixed has heen figured to just about keep up with the increase in current expenses necessary. Mayor McClellan, in a very interesting article on New York's financial condition, says he does not think it quite keeps up. The ordinary current expenses grow just a little but faster than the increased valuation. So you cannot count on anything in the way of increase of the margin that you can spend from the tax levy. Possihly you ought to allow for a little bit of decrease in the margin. But I have put it at $1,200,000. Now, how are we going to use that $1,200,000 which we can raise hy taxes? In the first place, schools, $500,000; in the second place, separate system of drainage, ahout $500,000; in the third place, sewers, $300,000. That is $1,300,000. In the fourth place, there are highways, $250,000. Those are the four items particularly emphasized by the Good Government Association in this article referred to in *City Affairs*. Those are the items that people like Mr. Ernst, who originated this idea, and which Mr. Durand, in his article in the "Economic Monthly," advocated. In other words, those four items that all people who are studying the subject, including the Good Government Association, agree on, will more than use up all the money we can spend out of the tax rate. Now, realize that and see what you are coming to. The first step advocated by the Good Government Association is legally impossible under the existing statute. Now, the stand taken by Mr. Smith and myself — and I don't think I am misquoting you, Mr. Smith,— is this. We helieve in taking this first step in so far as it is legal. We believe in getting at it gradually. We have on hand now, by good fortune, this $500,000, and we say this is a good opportunity to put into practice partially the first step. We cannot put the whole of it into effect, hecause it would be against the laws of Massachusetts; hut we can take the $300,000 for sewers, $250,000 for highways, and I understand that the Mayor has already made an arrangement so that the schools will come out of the tax rate. In other words, that uses up a million dollars. I think the auditor will say that we certainly ought to leave $200,000 or $300,000 of the possible money that can he appropriated for cases of emergency, where we have to raise a special amount. But, bc that as it may, we very strongly believe in taking the first step hefore we take the second. We believe if we took the whole first step in any one year there would be such an outcry from the taxpayers at the increased tax rate that the whole thing would be stopped. We helieve that you have to administer this new policy in small doses to have it swallowed hy the people. We helieve strongly in taking the first step. We believe we arc more in favor of it than you are, hecause we believe we are putting it in a way where it will stay down. I helieve firmly that if we try to take the whole of the first step this year, without making a cushion, approaching it gradually so that there will not be a reaction, there would he a revolution all over the city and we would get back much nearer to the old system of borrowing for anything. In other words, your policy of appropriating money from the tax levy for miscellaneous puhlic improvements, like a library, playground, ward building, is legally impossihle in any year except in a year where we get money like the Shaw Fund. That is a thing that I want to emphasize again and again, that the policy you people are all standing for is legally impossible in any year except in a year where we get some such windfall. It may be suggested, in a year when we do get a windfall, why not depart from our principles and our financial theory, adopting the theory you are advocating in this particular year, and that again, possibly in 1915 or 1916, another Shaw, or some other estate, may give us another amount of money, and we can put this method in practice again. It seems to me there arc two very good answers to that. The first answer Mr. Smith gave, that we have here needs of the city just exactly as crying as these needs you are advocating now, which ought not to he suhjects of loan. We have referred to this $750,000 necessary for the Fire Department, some part of which will have to be expended in order to get our fire apparatus up to modern conditions, in order to protect the people. We have facing the department the necessity of fifty extra firemen, which we are all unanimously in favor of, and which will cost $50,000 to $75,000. Then we have sewers and highways for next year, and if you should try to provide for all of these things out of the tax rate at that time, it would make the rate go up greatly. That is the first reason why I do not helieve in departing from correct financial principles in order to meet emergencies of this particular year. The second reason is one more vital. You will find, in reading the controversies upon good city government, all through the United States and in all the movements to improve conditions, tremendous stress laid upon the principle of uniform accounting. I don't think the importance of that principle can he exaggerated. You have to remember, as all these experts say, that the greatest way to get away with graft is to juggle figures. Every time when you people come in here and monkey with a financial principle—which is just what you are doing this year—you are giving more of a chance for graft. I don't think the importance of that can be overestimated. It is a tremendously important argument. To illustrate, supposing this year we had a $16.40 tax rate and next year a $17 or $18 tax rate. You come to look over the account, just like this last auditor's report for last year. There is nothing by which you can tell from that what proportion of that was spent for permanent improvements and what proportion for current expenses. Thc tax rate itself, if you adopt this way of doing things, is no register whatever of economy. The danger of not having a uniform system of accounting was very well illustrated in the last three inaugurals. Mr. Hihhard, in his last inaugural, as I remember it, talked about his tax rate of $15.90, and then goes on to explain

that that $15.90 tax rate is not a real test of his economy, because he took certain things out of the tax rate that normally would come out of loans. . Mayor Fitzgerald in his first and second inaugurals states: "I have raised the tax rate to $16.40, but it really does not mean any increase in extravagance, because I have taken a part of it for permanent improvements." So you see the minute you get to the auditor's reports they signify nothing unless you have some uniform system of accounting. In other words, any executive or City Council can juggle the figures. If you don't believe me, feeling that I do not know much about it, you can refer to the last books and reports on uniform accounting, and you can see the necessity of keeping accounts straight. I cannot overestimate the importance of it or tell you how strongly I feel on that question. But we ought to have some uniform system. We ought to get together and say that we believe, for instance, in taking current expenses out of taxes; that we believe in taking the first steps toward defraying such recurrent expenses as have been referred to—such as schools, highways and possibly sewers—out of the tax rate, going as far as the taxpayers will stand it in that matter. But let us get out of this haphazard way of doing things,—for instance, taking this year a library out of the tax rate and providing perhaps next year for sewers or highways out of loans. There has been no method whatever in our procedure. Last year we took half of Curtis Hall out of loan, and this year the other half out of the tax rate. How under the name of Heaven can we get uniform accounting if we go along like that? We can't expect anything but a patchwork quilt. I believe in adopting a definite financial policy on this question of what we shall spend for out of loans and what out of the tax rate. Then I believe, having adopted such a policy, that we should stick to it, so that there will be no financial juggling of the figures in connection with the tax rates and loans in a way that we have been familiar with in the past. If we adopt a definite policy, we will be in line with the movement all over this country for uniform municipal accounting.

Coun. McDONALD—Mr. Chairman, I move that the debate close at 6.33 o'clock, unless the closing of debate is sooner reached.

(It was now 6.31 p. m.)

The motion was declared carried by a rising vote, 6 to 2.

Coun. CURLEY—Mr. President, I have listened with great attention to the presentation made by the councilor on my right, Mr. Hale, and also that made by Coun. Smith, and I wish to say that I believe they are absolutely sound on this proposition, under ordinary conditions. But, Mr. President, in this case, in my opinion, we are dealing with an extraordinary condition. A certain sum of money becomes available for use by the city that was never anticipated when the tax levy was made, and that is available for necessary purposes. Great stress is laid upon the possibility of later being compelled to borrow $250,000 or $300,000 to meet what might be called current expenses in connection with the needs of the Fire Department. That particular proposition should not give this City Council any great concern because after all perhaps the most needless appropriation that was made in the present year was the appropriation of $300,000 for the purchase of questionable lighting devices for the city's lamps, and there is a possibility that if a contingency should arise a reconsideration might be had of that vote and that money obtained for other purposes, for such purposes as have been referred to by the gentleman. I want, however, to congratulate Coun. Hale on the study he has made of the proposition and say to him that if the Shaw money were not available I would continue to vote with him on that proposition and others of a similar character. My only reason for voting as I do at the present time is that we are not dealing with an ordinary condition but with an extraordinary one that may never arise again.

Coun. SMITH—Mr. President, Coun. Kenny has said that he is sometimes in favor of borrowing money for permanent improvements. I am glad to hear that. I do not wish to be personal, but perhaps his record in the Council might or might not make it clear as to what he considers are necessary matters to borrow for. Taking up permanent improvements, first, undoubtedly a permanent improvement was the playground in Ward 20. There was no question that the majority of the Council was very glad to vote——

Coun. McDONALD—Mr. President, I rise to a point of order, that the Council passed a vote to close debate and take a vote at 6.33 p. m., and that it is now 6.35 p. m.

President COLLINS—The point is well taken.

Coun. HALE—Mr. President, I would move a reconsideration of that vote. I believe, on such an important matter as this, that certainly the majority of the Council are not in favor of trying to gag the minority.

Coun. BALLANTYNE—Mr. President, I think if my brother would move an extension of the time for five minutes it would be better than to move a reconsideration.

Reconsideration was refused by a rising vote, 3 to 4.

Coun. McDONALD—Mr. Chairman, I simply want to say that it is not a question of gagging the minority. We have listened to this argument on finance for the last eight or ten meetings. We have heard the same things over and over again. The same story has been told to us to-night that we have heard eight or ten different times, and I am sick and tired of coming here and giving my time listening to Coun. Hale and Smith reiterating arguments that they have presented to us ten times before. I think it is about time that we should take a vote upon this matter.

The order took its first reading and passage, yeas 7, nays 2, Coun. HALE and SMITH voting nay.

Coun. HALE—Mr. President, I move a reconsideration of the vote, not because there is any chance of its prevailing, but because I wish to have the usual privilege accorded to a member of the Council to finish what he wants to say.

The question came on reconsideration of the passage of the order.

Coun. SMITH—Mr. President, I only want to say on this matter of reconsideration one or two things. First, if there is a chance of this Council voting money for public improvements as Coun. Kenny has said, I wish to find out what kind of permanent improvements they will vote money for by loan. I am now in doubt, for this reason. I wish to simply refer to the votes of the Council and tell you why I am in doubt. First comes the question of the Ward 20 Playground. That is undoubtedly a permanent improvement. Mr. Kenny and a majority of the Council were very glad to vote for that out of loan. Then comes up the question of the North End Library, and that was passed finally as a loan, and Mr. Kenny and the majority of this Council strenuously fought that coming out of a loan. They thought it ought to come out of appropriations. There you have two permanent improvements, and the playground, they say, should come out of loans, and a library for the North End they say should come out of appropriations. Then we pass along and we see their economic minds working again when we come to a question of another permanent improvement. We come to the question of Norfolk street widening, and there again you have a permanent improvement. Then they switch their attitude and say that that should come from a loan, that "we will vote that that be done by loan." To be sure, one member of the Council had to explain why he voted for it, but nevertheless he did vote for that as a loan. There they started ahead and voted one way and then voted the other way. Then we come to this meeting, and, when what are undoubtedly permanent improvements are being considered, they turn to the other extreme and say, "No, they should come out of appropriations." So it is with some doubt in their minds that the members of the public and other members of this Council want to know what ought to come out of loans and what out of appropriations. Some loans have been voted for, and Mr. Kenny has stated very frankly that there are some loans that he will vote for. What are they? Where do they draw the line? They say that one playground should come out of loan and another out of appropriations, that a library should come out of appropriations, that a street widening should come out of loan, that a ward building and another library should come out of appropriations. Now, what is the line that they draw? The minority would simply like to have a definite line here. All they want to know is whether the thing is permanent or not. If it is a permanent improvement, adding to the capital of the city, it is a subject for loan, just as it would be in any man's private business or in any other city in this country. If the majority of the Board have a definite line in mind, on one side of which they say they will

vote for loans and on the other side for appropriations, I think it is high time that they showed their hand and told the public generally what their attitude is. If they do not state their attitude, do not draw the line, the puhlic will say, "Ah, it makes a difference whether the matter is in their own district, whether it affects their own constituents, so to speak, or whether it is simply for some other district ahout which they are not interested and about which they do not care whether it passes or not."

Coun. KENNY—Mr. President, that is it; that is the keynote of the entire situation. "The puhlic will say this; the puhlic will say that." There is the fear, the apprehension of what the puhlic will say. It is not what is right, what the Council deems proper, but what the puhlic will say.

Coun. HALE—Mr. President, I rise to a point of order, that the gentleman is getting into his usual strain of personalities.

Coun. KENNY—Mr. President, I am not getting into my "usual strain," and that is an untruthful statement for the memher from Ward 11 to make—"my usual strain."

Coun. HALE—Mr. President, I object to that and would like to have it stricken from the minutes.

Coun. KENNY—Mr. President, I ohject to having it stricken from the minutes. I repeat those words. When he says "my usual strain" he is stating an untruth.

Coun. HALE—Mr. President, I object to that kind of language and would like to have it stricken from the minutes.

Coun. KENNY—Mr. President, I ohject to its heing stricken from the record. Now I want to say this. I want to comment for a moment or two upon the gentlemen from Ward 11. I was not impressed at all, as the gentleman from Ward 17 was, with the argument——

Coun. SMITH—Mr. President, I would like to ask a question.

Coun. KENNY—Why, certainly, you may ask a question.

Coun. SMITH—I note with some interest that you changed your address from one gentleman in Ward 11 to two gentlemen. Do you mean to include me in the untruth?

Coun. KENNY—No. I did not intend to include the member from Ward 11 on my left in that statement. I intended, however, to include him in the financial policy which the gentleman from Ward 11 was enunciating, as heing one who stood for it on the floor of this Board. I would like the attention of the Chair, if I may have it.

President COLLINS—Coun. Kenny.

Coun. KENNY—Now, Mr. President, the memher wants to know what I am willing to vote for here in the way of loans, what I have heen voting for. Where has he been all the year? Has he had his ears open? Has he had his eyes open? Let me take the auditor's report, page 30 of the last report, and there see the last loans that the Council voted for and which I voted for. I will read them for him. He very graciously arose in his place here a week or two ago and read a long list of eighty-two lame ducks pending hefore the Committee on Finance, in order to get them on the record; whereas, when the Committee on Finance met, it appeared that there were hut four or five live matters pending in the committee, and on every other matter the report was either "No action necessary" or "That it he placed on file." Still, the memher stood up here three weeks ago and read a long list of matters pending in the Committee on Finance, when only four of them were alive.

Coun. SMITH—Mr. President, I read that list at the request of Coun. Kenny,

Coun. KENNY—Now, Mr. President, I am going to read a list, quoting from page 30 of the auditor's last report:

Right to Borrow, October 31, 1911.

Right to horrow under chapter 93, Acts of 1891, as estimated February 15, 1911		$3,780,983 47
Less Loans authorized since (inside of debt limit):		
March 14, 1911, New Quarters for Fireboat Crew, Boston side	$3,000 00	
April 12, 1911, Land and Buildings for Schools	500,000 00	
April 12, 1911, Highways, Making of	$300,000 00	
May 3, 1911, Sewerage Works	250,000 00	
June 2, 1911, Playground, Ward 5	80,000 00	
June 2, 1911, Playground, Ward 20	50,000 00	
June 6, 1911, Municipal Building, South Boston	120,000 00	
June 26, 1911, Branch Library, North End	86,000 00	
June 30, 1911, Street Lighting Equipment,	300,000 00	
July 1, 1911, High Pressure Fire Service,	150,000 00	
July 3, 1911, High School of Commerce and School Administration Building	250,000 00	
July 10, 1911, Separate Systems of Drainage,	395,000 00	
August 16, 1911, East Boston Courthouse and Police Station	60,000 00	
August 24, 1911, Chelsea North Temporary Bridge	250,000 00	
Octoher 3, 1911, Separate Systems of Drainage	5,000 00	
Octoher 21, 1911, Meridian Street Bridge	63,000 00	
		$2,862,000 00

That is, there is a total of $2,862,000 loans voted this year. Those are the loans we voted for. On several of those loans I undertook to take the money out of the Reserve Fund. My position has been clear, and I think it has not heen in douht. If I could have had my way, I would have applied the money we had on hand as far as possihle to the extinguishment *pro tanto* of loans. That is, as far as we could have eliminated loans I would have so applied it. For instance, I am against borrowing money where we have it on hand. I don't want to horrow one dollar where we have the money on hand. That is my attitude, and I think it is the attitude of the majority of the memhers of the Council. And it is common sense, good financiering, whether the members from Ward 11 agree with me or not.

Coun. SMITH—Mr. President, I tried calmly and politely to ask the majority of the Council, and especially Mr. Kenny, upon what principle he voted money, and he got up and called one of my colleagues untruthful. That is a strange answer, when I tried to ask a perfectly quiet, calm and husinesslike question.

Coun. KENNY—Mr. President, I stated explicitly and specifically that his statement that I was assuming my usual attitude, thereby insinuating that I was stating something unfair, was untruthful. I did not say that he was untruthful, hut I said that his statement was untruthful.

Coun. HALE—Mr. President, might I ask Coun. Kenny a question,—whether he means that he was not assuming his ordinary attitude as far as personalities are concerned?

Coun. KENNY—Mr. President, the gentleman's question presupposes that I was assuming an attitude such as he was referring to, which was an untruthful statement.

Coun. HALE—Mr. President, I would move to have that stricken from the records.

President COLLINS—If no ohjection is made it will he stricken from the record.

Coun. KENNY—Mr. President, I object to its being stricken from the record.

Coun. SMITH—Mr. President, I rather regret now that I yielded. It does seem to me that one of the older memhers of this Council ought to keep himself more in hand than to get up here in answer to questions that are sincerely put and call other memhers of the hody untruthful. I thought when I was interrupted this time that he certainly would not repeat that error. It ill hecomes me, one of the younger members of the hody, to get up and correct him; but when it gets to the point that he calls one of my colleagues untruthful and reiterates that, and will not allow it to be stricken from the records, certainly he is going a long way in personalities in debate and digressing a long ways from legitimate argument. I regret very much that he is taking this personal attitude in the discussion. It seems to me that he puts himself in a peculiar

light before the public. I trust that he will reconsider the matter and at the end of the meeting allow his statement to he stricken from the record. Now, to resume——

President COLLINS—The Chair would state that the question is on reconsideration of the vote whereby the Council passed an order pertaining to a municipal huilding for Ward 7. The Chair would also advise members to try to keep to the question and not get into personalities.

Coun. SMITH—Mr. President, to return to the question of reconsidering the vote, I was led to helieve there might he some chance to get a statement as to what the majority of the memhers here were willing to have taken out of loans and what they were willing to have taken out of appropriations, because of Mr. Kenny's remark that he was willing to take some permanent improvements out of loans. For that reason I asked him what permanent improvements he was willing to take out of loans, and I think I was talking directly to the point. I cited examples of his votes—how he voted to take the playground for Ward 20 out of loan and a short time afterwards switched his ground and voted for an appropriation for a library in the North End, another permanent improvement, out of appropriations; that he then switched his ground again and voted for a loan to widen Norfolk street, and to-day he has switched hack again and is voting an appropriation for a ward huilding for Ward 7. You cannot blame a member of the Council for heing mystified at the principle that goes through Mr. Kenny's votes. I might say that all through these four votes we have had a large Reserve Fund. He has given the explanation that, so far as we have money, he wants to spend it without horrowing. That explanation does not hit the case, because we have had that surplus Reserve Fund all the time, and yet during the time that we have had the money in our pockets he has three times changed his attitude—first voting for a loan for Ward 20 Playground, then switching to an appropriation——

Coun. McDONALD—Mr. President, I must rise to a point of order again. The question is on appropriating $90,000 of the Reserve Fund for a municipal building for Ward 7. It is not how Coun. Kenny voted on other appropriation or loan orders which we have previously acted upon.

President COLLINS—The Chair would rule that the question is on reconsideration of the vote whereby the Council ordered to a first reading the appropriation order of $90,000 for Ward 7 municipal huilding. The Chair would reiterate that it behooves us to keep to the issue, to the question before us, and I believe the councilor's point of order is well taken. It is along the line suggested by the Chair.

Coun. SMITH—Mr. President, I am endeavoring to keep closely to the point. As I stated, I hope reconsideration will prevail, because Mr. Kenny said the majority of the Council were willing to take some permanent improvements out of loans——

Coun. KENNY—Mr. President——

President COLLINS—Does the gentleman yield?

Coun. SMITH—Mr. President, I was trying to find out what permanent improvements would be taken out of loan, hoping this would be one of them.

Coun. KENNY—Mr. President, I rise to a point of order. My point of order rclates to something which has happened here repeatedly. No memher has a right to stand in his place here and name another member during the dehate. He can refer to him either as "Councilor" or "Mr." I ask for a ruling on this point.

President COLLINS—The Chair would rule that from time immemorial, since the institution of the old Board of Aldermen, it has heen customary to refer to memhers as "Alderman so and so" or "Councilor so and so." In legislative bodics we must be governed by precedent and custom; and the Chair helieves it is, therefore, permissible for a memher of the body to refer to another as "Councilor so and so."

Coun. SMITH—Mr. President, I favored reconsideration of the action on this matter hecause of the hope which I was led to think might be a real hope—Coun. Kenny having expressed the helief that a majority of the Council would pass a vote providing for permanent improvements out of loan in special cases—that we might get something in the form of a definite statement of the principles actuating the majority in this matter. Therefore, I asked Coun. Kenny what those special cases were. I was in hopes that this might be one of those special cases that, if reconsideration prevailed, the majority might be willing to provide for out of loans; and I have been tracing back the votes and trying to find out the line that Coun. Kenny and the other memhers have laid down. Therefore, I asked the question, and he got up and did not give me much light on it,—in fact, went into personalities. I ask again, what is that line? The reason cannot he the one he gave me, hecause that was simply that when we had money he was in favor of spending it. That cannot be the real reason, because we had this money during all the four votes when he shifted his position. He first said "Loan" and then "Appropriation" and then said "Loan" and "Appropriation." Now, I hope he can enlighten me as to what the majority are willing to do on this matter—whether they will reconsider this because of some definite line or principle that they lay down.

Coun. KENNY—Mr. President, I wish to say just one or two words in reply to the gentleman who has just taken his seat. I would say that there is no member of this Board, in my opinion, during the two years that I have been here, who has laid himself open more frequently to the charge of indulging in personalities than has the memher from Ward 11 who has just taken his seat. If you will take the records of the Council, the minutes, you will see that they are teeming with his personalities. There is hardly a matter that comes before the Council that he does not discuss, sometimes four or five times. He gets up here and makes an argument, and then if nobody answers him, he argues against himself; and after he has made a long statement of his position just one or two words interruption is sufficient to hring him back to the floor with another long statement. And I say that no man here has more often overstepped the proprieties than the member from Ward 11 who just took his seat.

At 6.56 p. m. Coun. McDONALD said:

Mr. President, I move that we take a vote on the question before the body at 6.57 p. m., unless the vote is sooner reached.

Coun. HALE—Mr. President, I trust that these tactics will not prevail.

The Council voted to take a vote at 6.57 p. m., unless sooner reached, by a rising vote, 4 to 3.

Coun. HALE—Mr. President, I would like to rise to a question of personal privilege.

President COLLINS—The gentleman will state his question of personal privilege.

Coun. HALE—Mr. President, I wish to speak on something which has come before the Council recently, pertaining to myself.

President COLLINS—The gentleman will proceed.

Coun. HALE—Mr. President, I have heen in the city government for three years. During that time I have tried to do what I thought was my duty to my puhlic. During that whole three years there has been but one instance that I can remember where one member has used in regard to another member the language which has heen used hy one member of this Council to-day toward another memher of the Council. That was three years ago. The language used then was by a member from East Boston, and the memher from East Boston, after having made the statement, apologized for it in puhlic at that same meeting. I trust that something similar to that will he done in this meeting, and that the good name of this City Council will not be injured by that kind of discussion of financial principles.

Coun. KENNY—Mr. President, I also take occasion to rise to a question of privilege.

President COLLINS—A privilege relating to the standing of the gentleman who is talking?

Coun. KENNY—Yes.

President COLLINS—The gentleman is in order.

Coun. KENNY—Mr. President, there is to my mind very grave danger of this Council's losing its standing and its position hefore this community when such remarks are made and indulged in as have been made here this afternoon by the gentleman from Ward 11. That is my reply to what he has to say.

President COLLINS—The question is on reconsideration.

Coun. HALE—Mr. President, on the question of reconsideration I would like to state that I am voting in favor of reconsideration——

Coun. McDONALD—Mr. President, I object. I think the time for dehate has expired.

President COLLINS—Of course, by unanimous consent the gentleman can proceed.

Coun. McDONALD—I object.

President COLLINS—Then, the vote will be taken now.

Reconsideration was lost, yeas 2, nays 7, Coun. HALE and SMITH voting yea.

The question next came on the order transferring from the Reserve Fund $50,000 for a library in East Boston, as reported by the Executive Committee.

The report was accepted and the question came on the first reading and passage of the order.

Coun. McDONALD—Mr. President, I move (at seven o'clock p. m.) that we take a vote on this matter at 7.05, unless sooner reached.

The motion was carried by a rising vote. 7 to 2.

Coun. SMITH—Mr. President, in order to avoid any possible misunderstanding on this matter I desire to say that I have been more strongly in favor of a library for East Boston than of any one improvement this year with the possible exception of a library for the North End. I believe a library is absolutely needed in that section of the town. They have not had a library since 1872. That shows that that improvement over there has had a life of forty years. It is fair to assume that the new library for East Boston will have a probable life of equal duration. Therefore, it would seem that it is especially a subject for loan. I am forced into the position of voting against this order simply as a protest against the method by which the money is being raised. I want to repeat, on this matter as on the other, that if there were any danger of the library being lost through my vote I would not vote against it now. But there is no such danger, and, as the library is assured, I vote as I do simply as a protest against the way in which it is being built.

Coun. HALE—And I wish to say, Mr. President, that I also am going to vote against this, although I am heartily in favor of these improvements, simply as a protest against the way in which the money is being raised to pay for the improvements.

The order took its first reading and passage, yeas 7, nays 2, Coun. HALE and SMITH voting nay.

The order will take its second reading not less than two weeks from to-day.

The question next came on the order, reported by the Executive Committee, transferring from the Reserve Fund $50,000 for playground, Ward 2.

The report was accepted, and the question came on the passage of the order.

Coun. SMITH—Mr. President, I do not want to take up the time of the Council unnecessarily. I will simply say on this, as on the two previous matters, that I am voting in opposition, not because I am against the merits of the question, because I heartily believe that there should be a playground in Ward 2, but simply because I don't think the method by which the money is being raised is the most economical or a proper method, so far as the city is concerned. I don't think it is businesslike. I think it is against all custom. The matter is undoubtedly a permanent improvement and should be paid for by loan.

Coun. HALE—Mr. President, I would simply say what Coun. Smith has said on this matter, that I am heartily in favor of the improvement but am obliged to vote against it as a protest, because of the way in which the money is being raised to pay for the improvement.

The order was given its first reading and passage, yeas 7, nays 2, Coun. HALE and SMITH voting nay.

The order will take its second reading not less than two weeks from to-day.

SIDEWALKS, MAXWELL STREET.

Coun. BALLANTYNE presented a petition signed by Ida W. Harlow and others, residents of Maxwell street, asking that sidewalks be laid on said street.

In connection with the petition Coun. BALLANTYNE offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Maxwell street, between Milton avenue and Capen street, Ward 24, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width and to be built of artificial stone under the provisions of chapter 437 of the Acts of 1893.

The order was passed.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Reports on orders (severally referred to-day) for loans for various purposes—that the same ought not to pass, viz.:

Order for $50,000 for playground accommodations in Ward 2.

Order for $90,000 for municipal building in Ward 7.

Order for $50,000 for branch library, East Boston.

Reports accepted; said orders rejected, yeas 7, nays 2, Coun. HALE and SMITH voting nay.

(2) Report on resolve (referred to-day) that $250,000 be set aside from the Reserve Fund for the purchase of fire apparatus, etc.—that the order ought not to pass.

Report accepted; order rejected.

(3) Report on message of Mayor and order (referred to-day) transferring $5,000 to appropriation for Fire Department—that the order ought to pass.

Report accepted; order passed, yeas 9.

(4) Report on message of Mayor and order (referred to-day) transferring $3,000 for Highland Park Improvements—that the order ought to pass.

Report accepted; order passed, yeas 9.

(5) Report on resolves (referred to-day) that it is the opinion of the City Council that the present system of meal hours for firemen should remain unchanged—that the same ought to pass.

Report accepted; resolutions adopted.

(6) Report on order (referred to-day) that 1,000 copies of the balance of the edition of the volume entitled "The Consolidated Statutes Relating to the City of Boston, 1908," be distributed under the direction of the Committee on Printing, the rest to be sold and accounted for as provided in order approved November 7, 1908—that the order ought to pass.

Report accepted; order passed.

(7) Report on message of Mayor (referred to-day) relative to commemoration of the hundredth anniversary of the birth of Wendell Phillips—that the same be placed on file.

Report accepted; message placed on file.

(8) Report on petition of Frances G. Michaud (referred to-day) for permit for children under fifteen years of age to appear at St. James's Sunday School room on the afternoon of December 15—that a permit be granted.

Report accepted; permit granted on usual condition.

(9) Reports on petitions (severally referred to-day) for sidewalks—recommending the passage of orders directing the Commissioner of Public Works to lay sidewalks as hereinafter named; said sidewalks to be from 5 to 12 feet in width, to be from 3 to 10 inches in height above the gutter adjoining, and to be built as specified, viz.:

Brick.

J. W. Bartholomew and H. M. Rohrer, 6–8 Rockland avenue, Ward 21.

A. D. Meltzer, 183–189 Cambridge street, Ward 11.

Mary A. MacDonald, 12 Peters street, Ward 14.

Brick with Granite Edgestone.

Sabina T. Moore, 81 Fisher avenue, Ward 19.

Gravel with Granite Edgestone.

S. W. Johnson, 202–204 N street, Ward 14.

O. L. Beverage, 16 Nixon street, Ward 20.

Jonas O. Bocklund, 183 Savin Hill avenue, Ward 20.

Artificial Stone with Granite Edgestone.

L. C. Biggio, 9 Boardman street, Ward 1.

Charles Bonanno, 11 Boardman street, Ward 1.

Charles Kolodny, 10 Garden Court street, Ward 6.

United Distributing Company, 142 Blackstone street, Ward 6.

Massachusetts General Hospital, 474–480 Washington street, Ward 7.

E. T. Ball, Belvidere and Dalton streets, Ward 10.

Louis Berenson, 72 Batavia street, Ward 10.

Coleman & Bilbert, 24–28 Westland avenue, Ward 10.

Dinan & Rosenberg, 133 Peterborough street, Ward 11.

G. L. Hagenburger, 16–20 Haviland street, Ward 11.
John J. Johnston, 26 Aberdeen street, Ward 11.
Ellis L. Snider, 509 Audubon road, Ward 11.
E. L. Snider, Audubon road and Ivy street, Ward 11.
Myer Dana, 681 Tremont street, Ward 12.
Arthur W. Cole, Massachusetts avenue and Tremont street, Ward 12.
Goldie Schwartz, 24 Dartmouth street and on Montgomery street, Ward 12.
William B. Watson, 1772 Columbia road, corner N street, Ward 14.
Francis T. Leahy, Eighth street, corner Columbia road, Ward 14.
Mrs. Catherine J. Hart, 47 Roseclair street, Ward 16.
C. L. Hutchins, 21 Humphreys street, Ward 16.
Thomas J. Kennedy, 56 Harvest street, Ward 16.
E. J. Dillamano, 58 Harvest street, Ward 16.
George V. Wattendorf, 46 Edison green, Ward 16.
George V. Wattendorf, 48 Edison green, Ward 16.
Louis Segel, 364 Blue Hill avenue, Ward 20.
James A. Cully, 2 Victoria street, Ward 20.
K. M. Hagopian, 1 Greenwood street, Ward 20.
Samuel Epstein, 214–216 Kilton street, Ward 20.
Ester Molliver, 228–232 Magnolia street, Ward 20.
Albert H. Houghton, Agent, 15–17 Hancock street, Ward 20.
Michael F. and Frederick Shay, 81–87 Warren street, Ward 21.
Haffenreffer & Co., Brookside avenue, Ward 22.
Annie H. C. Floyd, 58 Stratford street, Ward 23.
J. W. Patterson, South and Boynton streets, Ward 23.
Norman Clark, 43 Torrey street, Ward 24.
W. B. Rice, 65 Neponset avenue, Ward 24.
St. Ann's School, 241 Neponset avenue, Ward 24.
Winthrop Hammond, 362 Neponset avenue, Ward 24.
Barnet Levenbaum, Dorchester avenue, from No. 1670 to Centre street, Ward 24.
Emilie Barnwart, Blue Hill avenue and Woolson street, Ward 24.
J. F. Sullivan, 358–362 Market street, Ward 25.
Henry K. Braley, 151 Kilsyth road, Ward 25.
Gertrude M. Wood, 155 Kilsyth road, Ward 25.
Julia M. Wiley, 157 Kilsyth road, Ward 25.
Mary E. Nolan *et al.*, Sutherland road and Lanark road, Ward 25.
Isabelle Wilkins, 15 Reedsdale street, Ward 25.
Beezie Johnson, 17 Reedsdale street, Ward 25.
Reports severally accepted; orders passed.

REMOVAL OF TREE.

Coun. ATTRIDGE offered an order—That the Superintendent of Public Grounds be requested to remove a tree in front of estate 113 River street, Mattapan; the expense attending the same to be charged to the Public Grounds Department.
Passed.

ACCEPTANCE OF STANTON STREET.

Coun. CURLEY offered an order—That the Board of Street Commissioners, through his Honor the Mayor, be requested to accept and lay out as a public way Stanton street, from Evans street to Maxwell street.
Passed.

MUNICIPAL BUILDING, WARD 17.

Coun. CURLEY offered an order—That the sum of $100,000 be appropriated to be expended under the direction of the Superintendent of Public Buildings for a municipal building in Ward 17, and that to meet said loan the City Treasurer be authorized to issue from time to time bonds of the city for said purpose.
Referred to the Committee on Finance.

NEXT MEETING.

Coun. BUCKLEY moved that when the Council adjourn it be to meet three weeks from to-day, December 18, at three o'clock p. m.
The motion was carried.

GENERAL RECONSIDERATION.

Coun. CURLEY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 7.11 p. m., on motion of Coun. CURLEY, to meet on Monday, December 18, at three o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Wednesday, December 13, 1911.

Special meeting of the City Council, in the Council Chamher, City Hall, at three o'clock p. m.

President COLLINS presided. Absent, Coun. Curley. The meeting was held pursuant to the following call:

City of Boston,
Office of the Mayor, December 9, 1911.

To the Memhers of the City Council:

You are hereby requested to assemble in the City Council Chamher, City Hall, Boston, on Wednesday, December 13, 1911, at 3 p. m., for the purpose of considering a contract for the disposition of the city's refuse and garbage.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

DISPOSAL OF REFUSE.

The following was received:

City of Boston,
Public Works Department,
December 12, 1911.

To the Honorable the Mayor and the City Council:

On Decemher 5, 1911, hids were opened for the disposal of a part of the city refuse for a period of ten years. Four bids were received, the two lowest of which are favorahle hids from the city's standpoint. The two lowest hids are the Boston Disposal Company, $1,443,738, and the Boston Development and Sanitary Company, $1,432,000. I have accepted the hid of the Boston Development and Sanitary Company as the lowest hid, and transmit the same herewith for your approval and that of the City Council, in accordance with the provisions of section 6 of chapter 486 of the Acts of 1909. Attached herewith are the plans and communications in connection with the same.

I also forward for your information the hids, communications and plans of the Boston Disposal Company, which is the second lowest hidder.

Respectfully,
L. K. ROURKE,
Commissioner of Puhlic Works.

Communication and inclosures referred to the Executive Committee.

RECESS.

On motion of Coun. KENNY the Council voted, at 3.10 p. m., to take a recess, subject to the call of the Chair.

The memhers reassembled in the Chamher and were called to order by President COLLINS at 3.31 p. m.

EXECUTIVE COMMITTEE REPORT.

Coun. ATTRIDGE, for the Executive Committee, submitted a report on communication from Commissioner of Public Works (referred to-day) concerning bids for disposal of part of city refuse for a period of ten years, and notifying the City Council of acceptance hy him of hid of Boston Development and Sanitary Company—recommending the passage of the following:

Ordered, That a puhlic hearing he given by the City Council on Wednesday, December 27, 1911, at seven thirty o'clock p. m., on the bid accepted hy the Commissioner of Puhlic Works of the Boston Development and Sanitary Company for the disposal of garhage and refuse for a period of ten years, and that the City Clerk he directed to give seven days' notice of said hearing in the *City Record* and daily newspapers the expense of said hearing and notice to be charged to the appropriation for City Council, Incidental Expenses.

Report accepted, order passed.

PRINTING OF GARBAGE PAPERS.

Coun. ATTRIDGE offered an order—That all bids and papers relative to contracts for the disposal of refuse suhmitted to the Commissioner of Puhlic Works he printed as a puhlic document.

Coun. BUCKLEY—Mr. President, if I understand that order it includes all bids, whether or not they were mentioned hy the superintendent to us?

President COLLINS—The Chair will state that this order refers to those hids and papers relative to contracts for the disposition of garhage as submitted to the Commissioner of Puhlic Works.

Coun. ATTRIDGE—Mr. President, the order should read, to have printed all the hids which have heen submitted to the Commissioner of Public Works—changing the word "by" to "to."

President COLLINS—The Clerk will make the amendment.

The order as amended was passed.

TAKING OF LAND, SPECTACLE ISLAND.

Coun. SMITH offered an order—That the Law Department be requested to give its opinion, first, as to whether the city has the power under right of eminent domain to purchase land on Spectacle Island in fulfillment of its part of the contract for the disposal of city waste. Second, whether the city under the terms of said contract receives free of all expense, at the end of ten years, the land and fixtures which the other party to the contract has occupied and used.

Coun. SMITH—Mr. President, I presume every memher of this Council has received letters from attorneys employed by both of the bidders on the contract. There seem to he conflicting statements as to whether we actually have a right to take land on Spectacle Island under right of eminent domain; and there also seems to be some douht whether the fixtures on the land erected hy the successful hidder hecome the property of the city at the termination of the contract. Merely to clear up these two points I have asked this question of the Law Department.

The order was passed.

COST OF BIDS FOR DISPOSAL OF REFUSE.

Coun. SMITH offered an order—That an accountant be employed to estimate the comparative cost to the city of the two hids now before the Council for the disposal of city waste, such accountant to he paid out of the City Council, Incidental Expenses.

Coun. SMITH—Mr. Presidcnt, as I understand it, the two leading hidders for this contract are within eleven odd thousand dollars of each other. The difference comes largely in the cost of the land, and it is largely a bookkeeping matter. Opinion differs as to the cost to the city. It seems to me well for this Council to have some expert advice as to just what that difference would amount to. When you take into consideration the fact that one set of bids runs up and the other runs down, and there is an interest charge in there, when you take into consideration the fact that the city would have to huy the land on one bid and would not on the other, that interest on the land would have to be considered and things of that kind, it would seem necessary for the City Council to get some accountant's figures on this suhject.

Coun. HALE—Mr. President, I would like to suggest, if satisfactory to Coun. Smith, that this order he amended so that the Finance Commission be requested to employ an accountant to do this. Wouldn't that be just as satisfactory to you? I think very likely they have an accountant on their staff; at any rate they know exactly where they can lay their hands on one, whereas we would he squabbling in an indefinite way as to what accountant to take.

Coun. SMITH—Mr. President, I accept that amendment.

Coun. HALE offered the following order as a suhstitute:

Ordered, That the Finance Commission be requested to employ an accountant to estimate the comparative cost to the city of the two bids now before the Council for the disposal of city waste, and to make a report to the City Council on or before December 27, 1911.

ALLIED PRINTING TRADES UNION LABEL COUNCIL 21

Coun. BUCKLEY—Mr. President, what I would like to know is, if there are two bids before the City Council?

President COLLINS—The Chair would state that there are two proposals before the City Council.

Coun. BUCKLEY—But Mr. Rourke in his letter says he has accepted one. Does that put the other bid up to us also and leave it to our discretion whether or not we shall decide that that is the better bid of the two?

President COLLINS—The Chair would state that under the charter this type of contract first meets with the approbation of the Commissioner of Public Works, and then is left with the City Council for its approval or disapproval. The Chair would state that it has been the custom to first get the approval of the Commissioner. In fact, that is the Chair's understanding of the statute, that the Commissioner first accepts a bid, that then there shall be a public hearing, and the City Council shall pass on it.

Coun. BUCKLEY—Mr. President, the only reason I ask the question is this, that it seems to me, in order to be fair and in order that the public may have the benefit it is entitled to, of information as to what is contained in every bid, Mr. Rourke, if he accepts one bid, should not only submit to us that bid, but should in all fairness submit to us every other bid which he has received, in order that the citizens of Boston may know just what has been submitted to the Commissioner of Public Works and may be able to form an opinion to that extent as to wbether he has or has not made a mistake.

President COLLINS—The Chair would be very glad to entertain a motion to that effect from the councilor after the substitute order has been disposed of.

Coun. BALLANTYNE—Mr. President, I would move that the substitute order be amended by inserting "Commissioner of Public Works" in place of "Council" where it first occurs.

Coun. HALE—Mr. President, I have a brand new substitute order to submit which will cover all that.

President COLLINS—If there is no objection, we will receive the substitute order.

Coun. HALE offered the following substitute:

Ordered, That the Finance Commission be requested to employ an accountant to estimate the comparative cost to the city of the two bids now before the Commissioner of Public Works, and to report as to the outcome of said investigation, and also as to the relative features of the two aforesaid bids, to the City Council on or before the public hearing.

The question came on the adoption of the new substitute order.

Coun. SMITH—Mr. President, as I introduced the order originally I have been somewhat interested in its growth. My idea in introducing the order was to find out from a public accountant, to get his unbiased opinion, as to just which bid was the cheaper. I don't care who employs the accountant, so long as he is not somebody already in the city employ—whether it is the Finance Commission, the Commissioner of Public Works, or who it is; but I did not intend to have anything else attached to the order. I wanted simply that one statement as to which bid is the cheaper. The other facts as to the relative merits of the bids may all be brought out at the public hearing.

Coun. HALE—Mr. President, I will eliminate the last part of that.

President COLLINS—There being no objection, the substitute order offered by Coun. Hale is withdrawn and the following substitute order is offered:

Ordered, That the Finance Commission be requested to employ an accountant to estimate the comparative cost to the city of the two bids now before the City Council for the disposal of city waste, and report to the City Council before December 27.

This last substitute was adopted and passed.

REQUEST FOR BIDS.

Coun. BUCKLEY—Mr. President, I move you, sir, that the Commissioner of Public Works be requested to submit all the bids which he has received for the disposal of refuse to the City Council at its public hearing on December 27.

Coun. SMITH—Mr. President, may I ask, simply for information, whether this refers to the last set of specifications?

Coun. BUCKLEY—The last.

Coun. Buckley's motion was carried.

On motion of Coun. ATTRIDGE the Council voted at 3.45 p. m. to adjourn, to meet on Monday, December 18, at 3 p. m.

Wednesday, December 13, 1911.

Special meeting of the City Council, in the Council Chamber, City Hall, at 3.45 o'clock p. m., to draw jurors.

President COLLINS in the chair. Absent, Coun. Curley.

JURORS DRAWN.

The Council proceeded (Mayor not present) to the drawing of jurors, under the law, as follows:

Forty-five traverse jurors, Superior Civil Court, First Session, January Sitting, to appear January 1, 1912:

Timothy Leary, Ward 12; Frank A. Bates, Ward 19; Charles Carey, Ward 17; Hugh Warnock, Ward 1; Thomas Flood, Ward 12; William R. Buckingham, Ward 1; Hermann Berner, Ward 15; Matthew J. Maguire, Ward 11; John F. Burke, Ward 14; John A. McEleney, Ward 9; Charles B. Turner, Ward 3; James Humphry, Ward 16; Phillip Langan, Ward 23; Edwin F. Patchen, Ward 11; Frederick L. Hersey, Ward 20; Albert M. Coffin, Ward 1; Homer J. Killion, Ward 21; Charles H. Stone, Ward 10; George C. Whittemore, Ward 11; William L. Benedict, Ward 11; Hobart W. Winkley, Ward 11; Terrence McNulty, Jr., Ward 23; John T. Shea, Jr., Ward 14; Wallace L. Pierce, Ward 11; Thomas C. Owens, Ward 25; William Broomer, Ward 20; Frank E. Taylor, Ward 22; Samuel J. Fernandes, Ward 12; Albert G. Gunther, Ward 23; Francis E. Adams, Ward 20; Walter J. Willson, Ward 25; John S. Kirschgassner, Ward 15; Burton M. Lawler, Ward 3; Henry J. Bowen, Ward 15; John F. Griffin, Ward 20; Thomas A. Brown, Ward 25; William Buchannan, Ward 23; Samuel A. Fisher, Ward 14; Louis N. Spofford, Ward 20; John Buckley, Ward 9; John Gilmore, Ward 21; John Carrol, Ward 22; George M. Coe, Ward 20; Charles W. Facey, Ward 25; George F. Vedeler, Ward 25.

Forty-five traverse jurors, Superior Civil Court, Second Session, January Sitting, to appear January 1, 1912:

Levi P. Blackford, Ward 14; John Murphy, Ward 15; William G. Turrill, Ward 17; Thomas F. Lynch, Ward 22; James W. Sullivan, Ward 16; Peter F. Judge, Ward 24; Peter A. Olson, Ward 16; James T. Flahive, Ward 7; James F. Dooley, Ward 17; James Clayborn, Ward 18; Ralph H. Smith, Ward 16; Edward D. Williams, Ward 25; John D. Hobbs, Ward 22; Albert A. Burrill, Ward 9; James D. Gordon, Ward 16; James S. Brebner, Ward 23; Ernest L. Mason, Ward 21; Martin S. Paul, Ward 21; Joseph N. Cushing, Ward 18; Leigh Wilson, Ward 17; Napoleon E. Tougas, Ward 20; William D. Shields, Ward 12; John Muldoon, Ward 16; Wellington C. Binns, Ward 11; James G. McDonald, Ward 16; George Worthington, Ward 24; Joseph L. Rankin, Ward 20; John J. McIsaac, Ward 9; Matthew D. Benzaquin, Ward 25; Albert A. Hussey, Ward 14; William T. Riley, Jr., Ward 15; Gilman B. Joslin, Ward 23; Edward Burt Shaw, Ward 21; Albert W. Whittredge, Ward 24; James A. Roberts, Ward 15; Patrick J. Coffey, Ward 19; James A. Lamont, Ward 20; Dennis F. Donovan, Ward 4; John J. Brennan, Ward 17; John Scales, Ward 4; Frank G. Wright, Ward 25; Charles A. Murphy, Ward 17; Winfred S. Bennett, Ward 16; Carl D. Smith, Ward 11; Lemuel C. Kimball, Jr., Ward 11.

Forty-five traverse jurors, Superior Civil Court, Third Session, January Sitting, to appear January 1, 1912:

Martin F. Gaddis, Ward 19; George W. Blackmore, Ward 21; Arthur N. Geswell, Ward 3; John Glynn, Ward 19; George A. Warren, Ward 25; James J. Casey, Ward 23; James P. Collins, Ward 13; James H. Wild, Ward 17; Charles A. Bachelder, Ward 24; Samuel W. Fraser, Ward 16;

Francis G. Bond, Ward 14; Frederick A. Sanderson, Ward 12; Patrick T. Collier, Ward 15; John J. Drey, Ward 9; Clarence H. Bishop, Ward 4; James Woolfall, Ward 15; Bernard Farrell, Ward 19; Joseph Rudnick, Ward 21; Luther F. Sykes, Ward 20; Frederick H. Bellows, Ward 12; Carl C. Rasmussen, Ward 22; Edward Brady, Ward 19; Louis C. Rich, Ward 22; Carl H. Fornwall, Ward 21; Gaetano Palermo, Ward 6; Fred L. Foster, Ward 10; Herbert L. Purdy, Ward 21; Edward G. Storey, Ward 11; Robert McAlpine, Ward 9; Henry D. W. Morris, Ward 20; Frank Reagan, Ward 14; Arthur T. McStowe, Ward 20; John H. Tileston, Jr., Ward 14; Joseph Jones, Ward 2; Emerson O. Leach, Ward 20; James P. McCart, Ward 23; Edgar C. Lane, Ward 20; Thomas E. Ewing, Ward 20; Mitchell G. Allen, Ward 2; James I. Chesley, Ward 25; John J. Geary, Ward 16; John T. Ford, Ward 19; Frank F. McLeod, Ward 25; Bernard J. Wolf, Ward 12; James R. Vanderwarker, Ward 17.

Forty-five traverse jurors, Superior Civil Court, Fourth Session, January Sitting, to appear January 1, 1912:

Albert V. B. Cleary, Ward 20; Charles Hafner, Ward 10; James P. Harrington, Ward 20; Frederick G. Henderson, Ward 11; George E. White, Ward 24; Francis J. Fay, Ward 19; Michael J. Barrett, Ward 11; Thomas G. Cairnes, Ward 18; William J. Kennard, Ward 16; Walter L. Sawyer, Ward 14; Eugene J. Courtney, Ward 16; Max Jacobson, Ward 1; Robert M. Currier, Ward 22; Charles J. Rushton, Ward 14; Charles F. Dolson, Ward 12; James F. Gladney, Ward 14; William J. Henry, Ward 24; Peter A. Frederickson, Ward 18; Michael O'Day, Ward 24; John B. McManus, Ward 8; T. Edward Sheehan, Ward 20; Thomas V. Barry, Ward 24; John J. Dillon, Ward 19; John J. Daley, Ward 13; Benjamin F. Litchfield, Ward 16; Adolf G. Sandberg, Ward 20; Frank H. Colter, Ward 17; Edward F. Hannafy, Ward 18; Walter G. Goodman, Ward 15; Francis H. Dennison, Ward 20; James J. O'Gara, Ward 17; Charles M. Larrabee, Ward 23; Warren H. Brigham, Ward 12; William Swetman, Ward 22; Eugene H. Thresher, Ward 24; William Goodman, Ward 23; Joseph E. Cheney, Ward 24; Patrick J. Brown, Ward 15; Frank J. Morton, Ward 23; John Keane, Ward 19; Carl Alfred Adell, Ward 20; Joseph F. J. M. Brown, Ward 21; Albert J. Linney, Ward 22; James D. Maloy, Ward 22; John A. Sparrow, Ward 1.

Forty-five traverse jurors, Superior Civil Court, Fifth Session, January Sitting, to appear January 1, 1912:

Walter J. Byrnes, Ward 14; Charles H. Gay, Ward 24; Dennis E. Holland, Ward 25; John J. Stevens, Ward 13; John H. Sullivan, Ward 16; James F. Rhodes, Ward 11; George P. Aborn, Ward 23; Clarence F. Davis, Ward 14; William B. Coburn, Ward 25; James E. Dillon, Ward 24; John O. Upton, Ward 8; Timothy J. Connors, Ward 2; Dwight T. Cortis, Ward 10; Frederick B. Emmons, Ward 8; Charles H. Hittenhime, Ward 5; Albert J. Campbell, Ward 20; Samuel C. Keene, Ward 21; Peter J. Ribbs, Ward 19; Jeremiah W. Shine, Ward 1; George T. Barrett, Ward 23; Bernard F. Tierney, Ward 16; Henry S. Jackson, Ward 17; Joseph Mathis, Ward 23; Edmund J. Murphy, Ward 24; George I. Lyon, Ward 24; James F. Hayes, Ward 12; Henry Blaser, Ward 13; William R. Gibbs, Ward 6; Angus B. McIsaac, Ward 20; George S. Mullin, Ward 15; George W. Faulkner, Ward 20; James H. Moulder, Ward 11; Ralph E. Plummer, Ward 10; George L. Keenan, Ward 12; William H. Hardy, Ward 10; Thomas F. Kenney, Ward 19; J. Allen Crosby, Ward 22; Frank J. McCarthy, Ward 9; William E. Dolan, Ward 21; Edward E. Lyon, Ward 10; Ernest E. Sidelinger, Ward 23; Edward F. Gardner, Ward 18; John J. Lane, Ward 25; Daniel McDevitt, Ward 24; Richard F. Cummings, Ward 20.

Forty-five traverse jurors, Superior Civil Court, Sixth Session, January Sitting, to appear January 1, 1912:

Thomas M. Blair, Ward 20; Frank P. Butler, Ward 9; John M. F. Fentross, Ward 3; Patrick J. McNulty, Ward 23; Denis Murray, Ward 13; Andrew K. Taylor, Ward 9; Charles R. Trask, Ward 4; John J. Rogers, Ward 12; Robert W. Harrington, Ward 1; Dennis Fanning, Ward 25; Michael F. O'Neil, Ward 2; John Sullivan, Ward 13; Charles L. Hutchinson, Ward 24; Willis S. Moulton, Ward 12; Michael F. O'Connor, Ward 23; Frank J. O'Connor, Ward 14; Charles J. Duggleby, Ward 16; Gustavus A. Kelley, Ward 21; Charles E. Selby, Ward 10; John F. Canty, Ward 19; Thomas Gerhard, Ward 19; William J. Shea, Ward 20; John H. Healy, Ward 1; Henry Copley Greene, Ward 11; Andrew F. McGettrick, Ward 21; Frederick H. Robinson, Ward 20; Benjamin Gilmore, Ward 15; Frederick T. Griffin, Ward 11; Robert Morrison, Ward 8; Edward O. Kenney, Ward 20; William D. Mandell, Ward 10; Fred Phinney, Ward 21; John J. Murray, Ward 9; Michael McGinley, Ward 3; James P. Shea, Ward 3; Fred Wolfrum, Ward 23; Joseph L. Burke, Ward 8; Samuel Goldsmith, Ward 20; Nathaniel J. Chafe, Ward 19; Benjamin H. Hunt, Jr., Ward 20; Michael J. Grannan, Ward 15; Henry Wright, Ward 20; H. William Inman, Ward 20; James F. Stuck, Ward 22; Walter Wigmore, Ward 8.

Forty-five traverse jurors, Superior Civil Court, Seventh Session, to appear January 1, 1912 (January Sitting):

Norman S. Glover, Ward 21; Charles P. Gavin, Ward 17; Charles E. Mayor, Ward 17; Horace S. Foye, Ward 3; Frederick O. Harrington, Ward 12; Walter M. Twist, Ward 12; Timothy J. Schenick, Ward 8; Ralph R. Jacobs, Ward 21; Thomas O'Rourke, Ward 23; Timothy Cremen, Ward 24; Edward L. Baker, Ward 24; Phillip C. Albrecht, Jr., Ward 20; Oscar M. Tibbs, Ward 18; Daniel F. Casey, Ward 1; James Boyle, Ward 25; Harry S. Colburn, Ward 21; George F. Babbitt, Ward 11; Louis Lucke, Ward 19; John E. MacDougall, Ward 10; William T. Platt, Ward 2; William H. Pierce, Ward 9; Arthur G. Stedman, Ward 12; Henry J. Rice, Ward 24; Edwin F. Hovey, Ward 25; James Emerson, Ward 19; Louis A. Greyer, Ward 10; Dennis J. Collins, Ward 13; James B. Hodgdon, Ward 10; David J. Connor, Ward 3; Gustav Hausmann, Ward 23; Robert S. Carroll, Ward 1; Frank P. Degnan, Ward 24; Eben Murray, Ward 23; John S. Cunningham, Ward 20; Charles J. Markey, Ward 5; Charles D. Pettee, Ward 20; Terrance B. McCormick, Ward 24; Patrick J. Curtin, Ward 4; Felix Alland, Ward 10; Mathias E. Bakkevold, Ward 24; John J. Buckley, Ward 19; John Tully, Ward 20; Adolf Wexler, Ward 8; Anthony Markuns, Ward 13; Harry O. Wheeler, Ward 25.

Forty-five traverse jurors, Superior Civil Court, Eighth Session, January Sitting, to appear January 1, 1912:

William C. Safford, Ward 11; Herbert G. Gill, Ward 20; Jacob H. Nathan, Ward 9; Will F. Richmond, Ward 20; Dennis O'Sullivan, Ward 3; Jerome Z. Smith, Ward 25; William A. MacNeill, Ward 1; C. Alford Wilton, Ward 12; John H. Brown, Ward 8; J. Thomas Watkins, Ward 11; William H. Sterling, Ward 9; John McRae, Ward 20; John Solari, Ward 6; Lewis Sears, Ward 24; William J. Donovan, Ward 2; J. Albert Scott, Ward 20; George W. D'Arcy, Ward 24; James Cavanagh, Ward 15; William K. Nute, Ward 16; John B. Lyons, Ward 19; Frederick G. Hartwell, Ward 14; Francis S. Bannon, Ward 15; James E. Lynch, Ward 16; Joseph Aronson, Ward 20; William G. Farwell, Ward 20; James F. Shea, Ward 13; Thomas J. Keane, Ward 19; William C. Keating, Ward 15; Franklin E. Cooper, Ward 20; Nathan Miller, Ward 24; Harry A. Gilman, Ward 23; Charles H. Brown, Ward 20; Michael J. Cadigan, Ward 18; Thomas L. Leonard, Ward 1; Henry Cotter, Ward 1; Albert L. Kohl, Ward 23; Wilbur S. Dutton, Ward 20; William Spring, Ward 15; Frederick Phillips, Ward 20; Arthur E. Rogerson, Ward 24; John T. McClintock, Ward 20; John S. Clark, Ward 20; John W. Kelley, Ward 5; Edward D. Gallagher, Ward 24; William C. Adams, Ward 25.

Adjourned to meet on Monday, December 18 at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 18, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair and all the members present.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last two meetings.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894 (the Mayor being present), viz.:

Twenty-two grand jurors, Superior Criminal Court, to appear January 1, 1912:

James F. Dugan, Ward 17; Ira E. Worcester, Ward 20; George L. Swett, Ward 20; George H. Stanton, Ward 19; Fred N. Russell, Ward 24; Arthur A. Dorr, Ward 14; Henry W. Dakins, Ward 13; John Crowley, Ward 19; Richard F. Hickey, Ward 19; Alhert E. Dana, Ward 18; James J. Murphy, Ward 20; John Garvin, Ward 3; Cornelius D. Van Pelt, Ward 22; Joseph C. Dunnack, Ward 4; Charles M. Cabot, Ward 11; Charles J. Chaffee, Ward 13; August Kollmeyer, Ward 23; William H. Morrison, Ward 1; John A. O'Brien, Ward 3; Edward J. McArdle, Ward 21; Thomas E. Gray, Ward 17; Ralph T. Perry, Ward 24.

Forty-one traverse jurors, Superior Criminal Court, First Session, to appear January 3, 1912:

William F. Whittemore, Ward 11; John L. Flanagan, Ward 4; Garland Dodson, Ward 18; Cornelius J. Collins, Ward 14; Luke J. Riley, Ward 1; Fred E. McKeen, Ward 21; Edward T. Roche, Jr., Ward 14; Daniel D. Burns, Ward 12; Charles E. Hamman, Ward 16; Ahraham Finkelstein, Ward 6; William Harper, Jr., Ward 20; William J. Hagerty, Ward 14; John W. Nutting, Ward 7; Charles H. Hatch, Jr., Ward 14; Harry H. Wardwell, Ward 20; William McIsaac, Ward 6; William J. Williams, Ward 6; Edward Ford, Ward 3; Frank T. Bowen, Ward 17; Cornelius Bulman, Ward 16; Thomas F. Nowell, Ward 18; William A. Barker, Ward 21; Arthur G. Bennett, Ward 12; Dennis F. Quinlan, Ward 4; Frank M. Howe, Ward 14; Ernest Barker, Ward 12; Lloyd K. Allen, Ward 17; Joseph B. Murphy, Ward 2; Lamhert J. Reynolds, Ward 19; Thomas H. Sinnott, Ward 10; William M. Welsh, Ward 3; James Holland, Ward 16; George R. Perkins, Ward 18; Clarence C. Kemp, Ward 23; Frank A. Perkins, Ward 25; Edward J. Harrington, Ward 4; Daniel P. Curran, Ward 14; John E. Stenzel, Ward 14; William S. Townsend, Ward 11; Morris Miller, Ward 20; Orrin D. Holmes, Ward 10.

Forty-one traverse jurors, Superior Criminal Court, Second Session, to appear January 3, 1912:

Thomas Murphy, Ward 22; Frank P. Cody, Ward 20; Joseph W. Park, Ward 14; Thomas J. Morrissey, Ward 23; Charles L. Peck, Ward 17; Frederick A. Jansen, Ward 25; Peter J. Boodro, Ward 15; John J. Kine, Ward 15; Samuel D. Payson, Ward 23; James A. Ward, Ward 21; John J. Cunningham, Ward 17; William A. Allen, Ward 22; Bartholomew E. Hackett, Ward 16; William A. Paine, Ward 11; Alexander J. Lang, Ward 13; George A. Battles, Ward 10; Clarence H. French, Ward 20; Stephen Clougherty, Ward 13; Revillo N. Smith, Ward 20; Albert F. Conant, Ward 10; Carleton S. Gifford, Ward 19; Hampden Dixon, Ward 20; Edward L. Britt, Ward 24; Marvin J. Cook, Ward 12; Harry F. Jay, Ward 4; James T. Reed, Ward 19; George H. Goodsell, Ward 24; Edward W. Kelly, Ward 8; Frank E. Pihlkrantz, Ward 17; Charles A. Valois, Ward 23; Christopher Brady, Ward 15; John J. Fahey, Jr., Ward 15; Horatio B. Alden, Ward 20; Leslie C. Gleason, Ward 20; Thomas C. Kihhle, Ward 24; George W. Waldman, Ward 20; Thomas Laffey, Ward 25; Leslie H. Harrington, Ward 25; Frank J. Reagan, Ward 12; Frederick H. Warner, Ward 11; Prescott Bigelow, Ward 11.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments, all for the term ending April 30, 1912.

(1) Alhert L. Jefts (13 Albemarle street, Ward 10), to he a Weigher of Coal.

(2) Thomas H. Mathews (1083 Boylston street, Ward 11) and Frank M. Nichols (622 Shawmut avenue, Ward 10), to he Weighers of Coal and Measurers of Wood and Bark.

(3) Charles S. Cotter (292 Newbury street, Ward 11), to be a Weigher of Beef.

(4) George A. Burns (91 Washington street, Ward 5), a Constable of the City of Boston.

Severally laid over under the law.

MONEY FOR REPAIR OF MYSTIC SEA WALL.

The following was received:

City of Boston,
Office of the Mayor, December 18, 1911.

To the City Council:

I transmit herewith a letter from the chairman of the Board of Park Commissioners, stating that the sum of $10,000 is needed in addition to the appropriation of $4,000 already made for repairs to the sea wall at Mystic Playground in order to insure absolute safety to the children who use the playground.

I recommend, therefore, the passage of the accompanying order, transferring the sum of $10,000 from the Reserve Fund to a special appropriation for Mystic Playground, Sea Wall and Fence.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Board of Commissioners of the
Department of Parks,
December 18, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—You will remember that it was found that the appropriation of $4,000 made for repairs to the wall, etc., at Mystic Playground was found to be insufficient for the necessary work. On investigation it appeared that the sea wall was in much worse condition than we had anticipated. Moreover, there is a great demand to have this wall raised 4 feet in height because that would permit the flooding of the playground for skating. To put the wall in condition and raise it in this manner, thus incidentally enlarging the space in the playground, it appears now will cost $14,000 instead of $4,000. We ask you, if possihle, to let us have this extra $10,000 heyond the present appropriation in order that we may expend it in the manner here described.

Yours truly,
ROBERT S. PEABODY, Chairman.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893, the City Auditor be and herehy is authorized to transfer the sum of $10,000 from the Reserve Fund to the appropriation for Mystic Playground, Sea Wall and Fence.

Referred to the Executive Committee.

BATH HOUSE, DEWEY BEACH.

The following was received:

City of Boston,
Office of the Mayor, December 18, 1911.

To the City Council:

I transmit herewith a communication from the Park Commissioners, under date of Decemher 8, 1911, requesting that money he appropriated for a hath house at Dewey Beach. This heach has heen extensively patronized in the past by the people of Charlestown, and I helieve they should have the same facilities that are given to the residents of other sections of the city.

I recommend, therefore, the passage of the accompanying order, transferring the sum of twenty-four thousand dollars ($24,000) from the appropriation for Reserve Fund to an appropriation to he expended under the direction of the Park Department for Bath House, Dewey Beach.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Board of Commissioners of the
Department of Parks,
December 8, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—You asked the Park Commission to learn what would be the cost of a bath house on Dewey Beach.

Mr. Austin has made a sketch and estimates for this work, arranged for a building to contain the necessary toilets, offices, etc., and 320 lockers in the men's bath house (arranged somewhat like those at the L Street Bath House) and 102 dressing rooms for women, and the cost of this building would be about $24,000.

If you can arrange for an appropriation for this work, we shall be glad to go on with it at once.

Yours truly,
ROBERT S. PEABODY, Chairman.

Ordered, That under the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of twenty-four thousand dollars ($24,000) from the appropriation for Reserve Fund to a special appropriation to be expended under the direction of the Park Commissioners for Bath House, Dewey Beach.

Referred to the Executive Committee.

MONEY FOR ZOO.

The following was received:

City of Boston,
Office of the Mayor, December 18, 1911.

To the City Council:

I transmit herewith a statement from the City Treasurer, estimating the amount on hand from the income of the George F. Parkman Fund, December 12, 1911, as $19,017.19, to which about $100 of income will be added before the close of the calendar year. The most appropriate purpose to which this income could be applied at the present time is the completion of the zoological garden at Franklin Park. I append a letter from the chairman of the Board of Park Commissioners stating that the sum of $19,100 should be applied to the construction of the flying cage and a panel at the bear's den, and recommend the passage of the accompanying order appropriating the sum of $19,000 from the income of the Parkman Fund to be added to the appropriation for Zoological Garden and Aquarium.

Respectfully,
JOHN F. FITZGERALD, Mayor.

GEORGE F. PARKMAN FUND INCOME.
December 12, 1911.

December 1, 1911.	
Cash on hand	$18,645 85
Income received to date	371 34
December 12, 1911.	
Amount on hand	$19,017 19
Estimate of income to December 31, 1911	100 00
Estimate December 31, 1911	$19,117 19

City of Boston,
Board of Commissioners of the
Department of Parks,
December 18, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—We lately wrote you asking for an appropriation of $125,000 from the Parkman Fund for the completion of work that we desire to have ready on June 1, 1912, at the Aquarium and Zoological Garden. In reply to your recent inquiry we would say if we could have $19,000 of this sum given us now we should expend it on the netting and stone work for

Flying cage (about)	$13,500 00
Panel at bear den	600 00
Water and sewerage to flying cage and bird house (about)	5,000 00
Total	$19,100 00

If these items do not cost these full sums we should expend any surplus on the other objects enumerated in our recent letter to you.

Yours truly,
ROBERT S. PEABODY, Chairman.

Ordered, That the sum of $19,000 additional be and hereby is appropriated from the income of the Parkman Fund and added to the special appropriation to be expended under the direction of the Park Commissioners for Zoological Garden and Aquarium.

Referred to the Committee on Parkman Fund.

PARKMAN MEMORIAL TABLET.

The following was received:

City of Boston,
Office of the Mayor, December 18, 1911.

To the City Council:

It has been suggested that in conformity with the practice of placing memorial tablets on buildings identified with the careers of our foremost citizens, such a tablet should be placed on the home of the late George Francis Parkman. I heartily approve of this idea and recommend the passage of the accompanying order, appropriating the sum of two hundred and fifty dollars ($250), to be expended under the direction of the Art Commission for this purpose and to be charged to the income of the Phillips Street Fund.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That the Art Commission be authorized to place a memorial tablet on the home of the late George Francis Parkman, and that the expense, not exceeding two hundred and fifty dollars ($250), be charged to Phillips Street Fund Income.

Referred to the Executive Committee.

RELEASE OF LAND TO MASSACHUSETTS GENERAL HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, December 18, 1911.

To the City Council:

For the reasons given in the accompanying letter of Mr. John C. Kiley, real estate expert attached to this office, I recommend the passage of the following order, releasing for a nominal consideration to the Massachusetts General Hospital a triangular parcel of land containing 26 square feet, more or less, bounded by North Grove and Fruit streets, adjoining the hospital property.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston, Office of the Mayor,
Real Estate Appraiser, December 16, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—The trustees of the Massachusetts Hospital have purchased the old Harvard Dental School property, together with the adjoining property, formerly owned by the George F. Parkman Estate. By recent survey it was found that the City of Boston owns a small triangular parcel of land, containing twenty-six (26) square feet, more or less, bounded by North Grove and Fruit streets, adjoining the hospital property. As they own all of the property, except this triangular parcel, fronting on North Grove street, north of Fruit street, they are desirous of closing up North Grove street and erecting a building thereon. This triangular parcel owned by the city has no commercial value and the trustees of the hospital are desirous of having it conveyed to them by the city for a nominal consideration.

The trustees of the Massachusetts General Hospital recently assisted very materially in saving the City of Boston a great loss by accepting a reconveyance of the property on Warrenton and Common streets, acquired as a site by the city for the High School of Commerce. This is the first opportunity that the city has had to show its appreciation for what the trustees of this hospital did in the High School of Commerce matter, and I recommend that the triangular piece of land be conveyed to them. If you agree with me, I suggest sending the inclosed order, which has been prepared by the Law Department, to the City Council for consideration.

Yours respectfully,
JOHN C. KILEY.

Ordered, That his Honor the Mayor be and he hereby is authorized in the name and behalf of the city and by an instrument satisfactory to the Law Department to release for a nominal consideration to the Massachusetts General Hospital a triangular parcel of land containing 26 square feet, more or less, and bounded southerly by Fruit street $2\frac{42}{100}$ feet; westerly by North Grove street, $21\frac{80}{100}$ feet, and northeasterly by land of said Massachusetts General Hospital, $21\frac{75}{100}$ feet.

Referred to the Committee on Public Lands.

APPROVAL OF CHELSEA BRIDGE PLANS.

The following was received:

City of Boston,
Office of the Mayor, December 13, 1911.

To the City Council:

I transmit herewith, in order that it may be placed in the files of the City Clerk, an instrument from the War Department, approving the map of location and plans of a bridge, to be reconstructed by the city across the main or north channel of the Mystic river.

Respectfully,
JOHN F. FITZGERALD, Mayor.

(Annexed were papers, plans, etc., referred to.)

Placed on file.

APPROPRIATION FOR CHELSEA BRIDGE NORTH.

The following was received:

City of Boston,
Office of the Mayor, December 14, 1911.

To the City Council:

At the meeting of your honorable body held October 30, 1911, I transmitted a communication from the Commissioner of Public Works which explained the status of the transactions relating to the new bridge over the north channel of the Mystic river, between Boston and Chelsea. In this communication the commissioner stated that the new plans which had been drawn up would provide a bridge of a substantially permanent character calling for an additional appropriation of $175,000. Since that time the necessary approval of these plans has been obtained from the War Department, and the commissioner, in the accompanying letter, renews his request for the additional appropriation required and asks, also, that the title of the present appropriation be changed from Chelsea North Temporary Bridge to Chelsea Bridge North.

I trust that there will be no hesitation on the part of the City Council in accepting these recommendations, and I recommend for passage the accompanying order effecting the change of title desired by the commissioner and providing the necessary additional funds for the work.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Works Department,
December 12, 1911.

To the Honorable the Mayor:

The War Department having approved plans for Chelsea North Bridge which will necessitate an estimated increase of $175,000 in the appropriation for Chelsea Bridge North, I respectfully ask that the honorable City Council be requested to provide this amount; also that the unexpended balance of the present appropriation for Chelsea North Temporary Bridge be transferred to the appropriation for Chelsea North Bridge, for the reason that no temporary bridge is contemplated under the present plans.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

Ordered, That the balance of the appropriation for Chelsea North Temporary Bridge be transferred to an appropriation for Chelsea Bridge North, to be expended by the Commissioner of Public Works; that the sum of one hundred seventy-five thousand dollars ($175,000) be and hereby is appropriated and added to the aforesaid appropriation for Chelsea Bridge North, and that to meet this additional appropriation the City Treasurer be and hereby is authorized, on the request of the Mayor, to issue bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

REPAYMENT OF COLUMBIA ROAD ASSESSMENTS.

The following was received:

City of Boston,
Office of the Mayor, December 13, 1911.

To the City Council:

Having passed an order at the meeting of November 27, 1911, accepting the provisions of chapter 415 of the Acts of 1911, and authorizing the abatement of assessments made upon the property owners along Columbia road, the City Council should now provide means whereby the repayments called for in this act may be made from the resources of the Park Department. The letter of the secretary of the Park Department, attached hereto, states in substance that the department would be unable to divert any funds from its maintenance appropriation without impairment of its own proper and necessary work I am informed by the Collecting Department that the unrevised assessments which have been paid into it, and which alone call for repayments under the act in question, amount to thirty-eight thousand dollars ($38,000). As the maximum assessment is 20 per cent it is obvious that a transfer of eight thousand dollars ($8,000) would provide the means from which the Park Commissioners could make the repayments rendered necessary by the acceptance by the city of the act of the Legislature.

I recommend, therefore, the passage of the accompanying order transferring the sum of eight thousand dollars ($8,000) from the appropriation for Reserve Fund to a special appropriation for Repayment of Columbia Road Assessments.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Board of Commissioners of the
Department of Parks,
December 6, 1911.

Mr. William A. Leahy,
Secretary to the Mayor,
City Hall, Boston:

Dear Sir,—In reference to the order of the City Council, which proposes to abate a portion, not exceeding 20 per cent, of the assessments for laying out Columbia road, and authorizes repayment of such proportion of any assessment already paid, the expense thus incurred to be charged to the appropriation for Park Department, upon which you request the views of this department, I am directed to say that the Board objects to any diversion of its funds that have been appropriated for and which are needed for the maintenance of the parks.

Chapter 394 of the Acts of 1897, under which Columbia road was laid out and constructed, provided that a specified amount of the cost of that improvement, as determined by the Street Commissioners with the concurrence of the Park Commissioners and the approval of the Mayor, should be provided by loan and deemed and considered as expenditures for public park purposes. This having been done, the Board does not think that any further expenditure on this account should be charged to this department.

Yours truly,
GEORGE F. CLARKE, Secretary.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of eight thousand dollars ($8,000) from the appropriation for Reserve Fund to a special appropriation for Park Department, Repayment of Columbia Road Assessments, to be expended in accordance with the provisions of chapter 415 of the Acts of 1911.

Referred to the Executive Committee.

APPROPRIATION FOR AUTOMOBILE AMBULANCES.

The following was received:

City of Boston,
Office of the Mayor, December 13, 1911.

To the City Council:

The accompanying letter from the president of the Board of Hospital Trustees explains the advantage of an additional automobile ambulance. The sum of six thousand dollars ($6,000) has already been appropriated by your honorable body

for two conveyances of this type and the reasons given by the president of the Board of Trustees for an addition to their number seem to me to be convincing.

I recommend, therefore, the passage of the accompanying order transferring the sum of three thousand dollars ($3,000) from the appropriation for Reserve Fund to a special appropriation for Automobile Ambulances.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Boston City Hospital,
December 11, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,— At a meeting of the Board of Trustees to-day, December 11, it was decided to ask your Honor to transfer $3,000 for the purchase of an automobile ambulance. Mr. Joseph P. Manning, secretary *pro tem* of the Board of Trustees, has already explained the matter to you. In the early part of November it was voted that $3,000 be reserved from the appropriation for maintenance for the purchase of this ambulance. Certain unexpected bills, due to contingencies of the service in the X-Ray Department and in various other departments of the hospital, necessitated taking nearly all of this $3,000 for maintenance. Your Honor's attention is called to the fact that if an additional $3,000 is added to the $6,000 already reserved, it will enable the trustees to purchase three automobile ambulances. These, in addition to the one now in service, will give four automobile ambulances, which will do the work of eight horse ambulances, and will be the most important factor in improving the ambulance service.

The trustees are of the opinion that these ambulances should be purchased without advertising for bids. The reasons for this are set forth in the letter to your Honor dated November 28, 1911, as follows:

First. The style of the ambulance required is one that has been in use at the hospital, especially built for our purpose.

Second. If an advertisement is required, it will take so long a time that it would be impossible to have the ambulance delivered as soon as the exigencies of the service require.

Third. The style of the ambulance is something that is different from any other ambulance built; also, the chassis can be delivered immediately, and for this reason particularly, the trustees respectfully request permission to waive advertising.

Although there have been many improvements, comprising painting, purchase of new instruments and installation of surgical and medical appliances, the trustees have the satisfaction of reporting to your Honor that while the high standard of the hospital has been maintained during the year, the appropriation for the fiscal year has not been exceeded.

I have the honor to remain, on behalf of the trustees,

Very respectfully yours,
A. SHUMAN,
President Board of Trustees.

—

Ordered, That the title of the appropriation for Two Hospital Ambulances be changed to Hospital Ambulances, and that in accordance with the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of three thousand dollars ($3,000) from the appropriation for Reserve Fund to the said appropriation for Hospital Ambulances.

Referred to the Executive Committee.

SALE OF CITY PROPERTY.

The following was received:

City of Boston,
Office of the Mayor, December 15, 1911.

To the City Council:

I transmit herewith a vote of the Board of Schoolhouse Commissioners notifying the City Council that the estate at No. 9 Warrenton street, taken for school purposes, is no longer required, and a letter from John C. Kiley, real estate expert, attached to my office, informing me that he has received an offer of ten thousand dollars for this estate. This is the last of the parcels included in the original taking for the High School of Commerce on Common and Warrenton streets. Its net return to the city last year, according to Mr. Kiley's computations, was less than 2 per cent on the amount offered and the figure set by the prospective purchaser seems to me to be an extremely advantageous one.

I recommend, therefore, the passage of the accompanying order which authorizes me to sell the property on the terms indicated.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Boston, December 12, 1911.

To the Honorable the City Council.

Gentlemen,—The Board of Schoolhouse Commissioners of the City of Boston, having charge of the parcel of land on Common and Warrenton streets in said Boston, which was taken for school purposes by an order and statement of the Board of Street Commissioners of said city recorded with Suffolk Deeds on the 28th day of June, 1910, in lib. 3463, page 282, hereby notifies you that in its opinion a portion of said premises, to wit, a parcel of land containing 1,582 square feet, more or less, taken as aforesaid from George P. Darrow heirs and Mary C. Darrow, is no longer required for public purposes.

CHARLES LOGUE,
JOHN F. KENNEDY,
CHARLES B. PERKINS,
Schoolhouse Commissioners.

—

City of Boston, Office of the Mayor,
Real Estate Appraiser, December 13, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—The City of Boston now owns No. 9 Warrenton street, consisting of a brick three and one-half story dwelling house, assessed for $3,200, and 1,600 square feet of land, assessed for $6,400, making a total assessed valuation of $9,600. This property was acquired in 1910 by the city as a part of the site selected for the High School of Commerce. It was taken from the heirs of George P. Darrow, by eminent domain, and an award of $11,830 was paid to the owners.

The estate rents for $600 a year. I have been offered $10,000 and, notwithstanding that it cost $11,830, feel certain that at $10,000 the property would be well sold. The building has been rented for practically one year and my books show that after deducting the taxes which should be charged against the property, and the cost of maintenance, there is but 1.72 per cent net return on $10,000. The building is occupied as a lodging house, and is not in good condition. Each year it will need repairs which will seriously impair the net return.

I therefore inclose herewith a notice from the Schoolhouse Commissioners to the City Councilors informing them that this property is no longer required for public purposes.

I also inclose an order drafted by the Law Department of the City of Boston, which is in proper form, for your Honor to forward to the City Council, authorizing you to dispose of this property at a sum not less than $10,000.

The offer which is made is good until canceled, but I feel that the purchaser may not care to wait for an indefinite period for an answer.

Very truly yours,
JOHN C. KILEY.

—

City of Boston,
In City Council, ———.

Whereas, The Board of Street Commissioners, under authority conferred upon said Board by acts of the Legislature of the Commonwealth of Massachusetts, did take for school purposes, by an instrument recorded with Suffolk Deeds on the twenty-eight day of June, 1910, certain lands situate on Common and Warrenton streets, in said Boston, including a parcel of land containing 1,582 square feet, more or less, supposed to belong to George P. Darrow heirs and Mary C. Darrow; and

Whereas, The Board of Schoolhouse Commissioners, having charge of said lands taken as aforesaid, has notified the City Council that in its opinion the above-mentioned parcel of land containing 1,582 square feet, more or less, taken from

said George P. Darrow heirs and Mary C. Darrow is no longer required for public purposes; it is hereby

Ordered, That the Mayor he and he is hereby authorized in the name and behalf of the city and in accordance with the provisions of chapter 25, section 50, of the Revised Laws, to sell and convey said parcel of land taken as aforesaid from said George P. Darrow heirs and Mary C. Darrow for a sum not less than ten thousand dollars, and for such consideration, and upon such other terms as he may consider proper, to execute in the name and behalf of the city a deed of said premises satisfactory to the Law Department.

Referred to the Committee on Public Lands.

QUARTERS FOR EAST BOSTON COURT.

The following was received:

City of Boston,
Office of the Mayor, Decemher 13, 1911.

To the City Council:

I transmit herewith a communication from the Superintendent of Public Buildings, requesting a transfer of two thousand two hundred dollars ($2,200) from the Reserve Fund in order to fit up the wardroom at the corner of Maverick and Bremen streets, East Boston, as temporary quarters for the East Boston District Court. This building has been selected as the most economical for the housing of the court during the huilding of the new courthouse, and I desire to express my approval of the superintendent's request and to recommend the passage of the accompanying order transferring the necessary amount from the Reserve Fund to a special appropriation for East Boston District Court, Temporary Quarters.

Respcctfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston.
Public Buildings Department,
Decemher 11, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—An appropriation is available for the purpose of erecting a courthouse and police station in East Boston, and a great deal of consideration has heen given to the matter of a site for the said building. It has been decided that the new huilding he erected on the site of the Old East Boston High Schoolhouse, in which are now quartered the district court, branch lihrary and also some rooms used for school purposes. At a meeting held on Monday, Junc 26, 1911, the School Committee, which has control of the Old East Boston High School, passed a vote of which the following is a copy:

"Ordered, That his Honor the Mayor be informed that upon provision being made satisfactory to this Board, for the housing of the school children, who would otherwise he accommodated in the Old East Boston High Schoolhouse, this Board is willing to surrender said school estate on the payment of $40,000, hut until other and satisfactory school accommodations shall he provided, the surrender of said school estate cannot be entertained."

Mr. Charles Logue, Chairman of the Schoolhouse Commission, has advised me that they expect to vacate the Old East Boston High Schoolhouse ahout the 1st of March, 1912.

It is my intention to provide temporary headquarters for the district court, during the erection of the new huilding, in the city huilding now used as a wardroom, at the corner of Maverick and Bremen streets, East Boston, thereby saving payment of outside rental.

I have had plans prepared by this department of the layout for the temporary quarters and the same have been approved by the officials of the district court.

I estimate that the sum of twenty-two hundred (2,200) dollars will be required to fit up these temporary quarters in making over judge's bench, clerk's hench, building temporary offices for officials, building prisoner's dock, installing plumhing apparatus, painting, etc., and respectfully recommend that a special appropriation for the amount specified above for this purpose be made. I desire to start work on the ahove immediately after the city election on January 9, 1912.

Items on above are as follows:

Carpentry work	$925 00
Plumbing work	310 00
Painting work	165 00
Alterations and additions in steam piping	300 00
Alterations and additions on electric lighting	200 00
Moving furniture, records, etc	300 00
	$2,200 00

Yours respectfully,
M. J. FISH,
Superintendent of Public Buildings.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893, the City Auditor he and herehy is authorized to transfer the sum of two thousand two hundred dollars ($2,200) from the appropriation for Reserve Fund to a special appropriation for East Boston District Court, Temporary Quarters, to he expendcd under the direction of the Superintendent of Public Buildings.

Referred to the Executive Committee.

PLAYGROUND SITE, WARD 25.

The following was received:

City of Boston,
Office of the Mayor, November 29, 1911.

To the City Council:

The need of a playground in the Brighton district was impressed upon me last year and I submitted two loan orders of $15,000 each, providing for the purchase of a site. Brighton is remote from the large playgrounds which are used in common by the young people of the whole city, such as Franklin Field, and its area, which is ahout equal to that of South Boston and Charlestown comhined, makes the single playground which it now possesses, situated at the extreme northern end of the district, entirely insufficient. I recommend, therefore, the passage of the accompanying order transferring $15,000 from the Reserve Fund for the purchase of a playground site in Ward 25.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and herehy is authorized to transfer the sum of $15,000 from the appropriation for Reserve Fund to an appropriation to he expended under the direction of the Park Commissioners for Playground, Ward 25.

Referred to the Executive Committee.

APPROPRIATION FOR NORTH DORCHESTER BURIAL GROUND.

The following was received:

City of Boston,
Office of the Mayor, November 29, 1911.

To the City Council:

I transmit herewith a communication from the chairman of the Cemetery Trustees, in the third paragraph of which he requests an appropriation of $9,000 for the Dorchester North Burial Ground, for the purpose of huilding a wall and fence ahout it, erecting a small office huilding, and inclosing a triangular piece of land on Columhia road adjoining the cemetery. A loan order for the wall and fence was passed by the City Council in 1907 hut action on this matter was rescinded on the ground that this work should he paid for from the tax levy and not from money raiscd hy loan. As the Reserve Fund is ample to cover this comparatively small item I recommend the passage of the accompanying order transferring $9,000 from the Reserve Fund to a special appropriation for Dorchester North Burial Ground.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Cemetery Departmcnt,
November 17, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—The financial condition of this department presents two alternatives to provide for the remainder of the fiscal year. One is the immediate

suspension of about thirty laborers until at least February 1, or the second is the obtaining of sufficient money to retain the employees intact and to pay bills contracted and to come. A careful calculation shows that $3,600 additional will be required, of which $250 will be for care in January of Fairview Cemetery, Ward 26 (Hyde Park), as we understand the conditions which now exist there.

During the past three years the department appropriation has not exceeded $75,000, although the department has felt the general increase in cost prevalent. In the item of labor alone the half holiday of four hours each week, not anticipated at the beginning of this year, means a loss of 8½ per cent which had to be met. The above estimated amount includes only such expenditures as are positively necessary this year, and we feel it is improper under proper management to carry over such work and make the expenditure a burden on the calculations of next year.

In July, 1907, you recommended in a loan order $6,000 for a stone wall and fence at Dorchester North Ground, Upham's Corner. This was adopted by the City Council, but the Finance Commission in a report advised against the loan, and said, "the work should be paid for from the tax levy and not from money raised by loan." The City Council finally rescinded its action on the loan. We now ask that you consider the recommending of $9,000 for this ground, to cover the building of the wall and fence named in the loan order, which shall include inclosing a triangular piece of land on Columbia road and adjoining the cemetery, which latter was transferred to this department since 1907, and the erection of a small office on the ground. The present office is unsanitary, and the city obligated itself in deed of purchase to keep the greater portion of the fence contemplated to be erected in good repair.

Last year we asked for $10,000 to be expended entirely on the old burying grounds, which was not granted. The necessity for the work which this amount intended is constantly urged by those who visit and are interested in these grounds. This would undoubtedly meet with objection, if placed in a loan order, and we can only hope to receive it in a regular appropriation.

The total amount covered by the above is $22,600, and we beg to say that our constant touch with affairs convinces us that the items named above are absolutely necessary of accomplishment.

Yours respectfully,
CHARLES E. PHIPPS,
Chairman Cemetery Department.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of $9,000 from the appropriation for Reserve Fund to a special appropriation, to be expended under the direction of the Cemetery Trustees, for Dorchester North Burial Ground.

Referred to the Executive Committee.

ELEVATED STRUCTURE, ETC., DOVER STREET.

The following was received:

City of Boston,
Office of the Mayor, December 5, 1911.

To the City Council:

I transmit herewith (in order that they may be placed in the files of the City Clerk) the following plans:

(1) No. 28207, showing proposed temporary elevated station, to be used while modifications and changes are being made in the Dover Street Station.

(2) No. 28206, showing proposed modifications and changes in the elevated structure, platforms, station and approaches at Washington and Dover streets, to be made in order to increase the capacity and adapt the same to the running of eight-car trains.

I have approved these plans in writing as to architectural appearance and obstruction to light and air, in accordance with the provisions of section 6, chapter 500, of the Acts of 1897.

Respectfully,
JOHN F. FITZGERALD, Mayor.

(Annexed were plans, etc., referred to.)

Placed on file.

SALE OF FIRE BELLS.

The following was received:

City of Boston,
Office of the Mayor, December 4, 1911.

To the City Council:

I transmit herewith a communication from the Fire Commissioner, requesting permission to sell three fire-alarm bells which are no longer of service to his department, and recommend the passage of the accompanying order, which grants the permission desired. A list of the bids received by him is attached to his communication. As the Reserve Fund is ample to provide by transfer for any important needs of the Fire Department, I do not approve the commissioner's further request that the funds received from this sale be credited to the appropriation of that department.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Headquarters Fire Department,
December 1, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,—I have the honor to request permission be granted by the City Council to sell three (3) fire-alarm bells which are no longer of service to this department.

I respectfully request that the funds received from this sale be credited to the appropriation of the Fire Department.

The highest bidder is the McShane Bell Foundry Company of Baltimore, Md., amounting to $1,803.42.

I inclose herewith list of bids received.

Very respectfully,
CHARLES D. DALY,
Fire Commissioner.

Bids for fire-alarm bells opened this day:

M. Edelstein & Co	$880 00
M. Hurvitz & Son	1,150 00
Stephen J. Moran	1,174 32
Symansky Brothers	1,179 91
Thomas Burke	1,302 94
Roxbury Iron & Metal Company	1,356 06
T. J. Kiley & Son	1,398 00
I. Goldberg & Co	1,446 75
American Iron & Metal Company	1,455 04
Thomas Butler & Co	1,456 16
Bevin Brothers Manufacturing Company	1,607 70
Gamewell Fire-Alarm Telegraph Company	1,677 60
McShane Bell Foundry Company	1,803 42

—

Ordered, That the Fire Commissioner be and hereby is authorized to sell to the highest bidder three fire-alarm bells which are no longer of service to the Fire Department.

Referred to the Executive Committee.

SWIMMING POOL, PARKER HILL.

The following was received:

City of Boston,
Office of the Mayor, December 1, 1911.

To the City Council:

An order passed by your honorable body at its meeting of July 17, 1911, requested the Park Commission and the Bath Commission, sitting jointly, to consider the advisability of establishing a swimming pool at Parker Hill and the cost of converting Parker Hill reservoir to such use. The accompanying letters from the chairman of the Board of Park Commissioners and the general superintendent of the Bath Department indicate a unanimity of opinion in both departments as to the advantages of such a pool, the cost of which, together with the incidental improvements, is estimated by the superintendent of parks and the engineer of the Park Department to be $35,700. Mr. John C. Kiley, in a letter which is also attached hereto, gives reasons why this tract of land should be made over into a recreation park, and states that he has obtained the consent of the Commissioner of Public Works to its transfer from his department to the Board of Park Commissioners without compensation.

I agree that the merits of the plan would fully justify its cost and recommend the passage of the

accompanying ordinance, which has been prepared by the Corporation Counsel, transferring the care and control of the Parker Hill reservoir to the Park Department.

Yours very truly,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Board of Commissioners of the
Department of Parks,
October 19, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Referring to the City Council order of July 17, 1911, requesting that the Park and Bath Commissions sitting jointly be requested to consider the advisability of establishing a swimming pool at Parker Hill and the cost of converting Parker Hill reservoir to such use, Mr. Pettigrew, our superintendent, and Mr. Putnam, our engineer, have made a study of the matter and they report that the top of the hill, if graded down, using the side walls to fill up the reservoir, would make a good playground. They think also that room can he reserved for a swimming pool, 40 feet by 100 feet, made with the bottom and sides of concrete. The cost of this, together with a locker huilding, shelter for children, fencing and planting, they reckon at $35,700, as per estimate of October 3, 1911, attached hereto. At the same time that we send you this report we are sending a copy of it to the Bath Commission.

Yours truly,
ROBERT S. PEABODY, Chairman.

—

October 3, 1911.

Estimate cost of making swimming pool and incidental improvements on site of Parker Hill reservoir.

Banks to be cut down about ten feet and material used for filling remainder of reservoir. This will give a level area of ahout three acres. Total area of lot is about four and one-half acres.

21,000 cubic yards excavation at 60 cents	$12,600 00
Concrete swimming pool, 40 feet by 100 feet	4,000 00
Locker building	15,000 00
Shelter for children	600 00
Planting	500 00
1,500 linear feet playground fence	3,000 00
Total	$35,700 00

—

City of Boston,
Bath Department, Decemher 2, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

My dear Sir,—In reference to an order passed by the City Council on July 17 of the current year, requesting a joint sitting of the Board of Bath Trustees and Park Commissioners relative to the advisability of converting the Parker Hill reservoir into a public swimming pool, I beg to report in behalf of the Bath Trustees that the matter has received the consideration of Messrs. Murphy and McLaughlin, who were appointed a suhcommittee on the matter, with the result that the above mentioned committee are in accord with the main proposition. They deem it an excellent site for installing a puhlic pool, and would recommend that an appropriation be passed for the purpose of carrying out the above mentioned plans, the amount to he as approximated, $35,700.

Thc ahove mentioned estimate will also include the construction of a playground with a swimming pool, 40 feet hy 100 feet, with the bottom and sides to be of concrete; moreover, a locker huilding, with a shelter for children and the fencing, etc., are also included. We would also suggest that the swimming pool be placed under the jurisdiction of this department.

Very truly yours,
HUGH C. MCGRATH,
Secretary Bath Trustees.

—

City of Boston, Office of the Mayor,
Real Estate Appraiser, Octoher 30, 1911.

Mr. William A. Leahy,
Secretary to the Mayor,
City Hall, Boston:

Dear Mr. Leahy,—I have your letter of the 27th, inclosing one from thc chairman of the Park Department relative to the use of the Parker Hill reservoir for a playgound and swimming pool.

I think that the work proposed by the Park Department could be done very easily for $35,700. It strikes me as being a high figure, but not having seen the plans and not being a contractor or engineer, I would not want my opinion to he taken against that of the Park Commissioners. Other than grading, there is, however, but very little work to be done to make over the Parker Hill reservoir. Very little material of any kind will have to be purchased. It seems to me that there will be enough stone in the reservoir to build a good many of the embankment walls made necessary in leveling the land, and I should think that $20,000 would do this work, which consists primarily of labor.

I have already secured the consent of Commissioner Rourke to allow the transfer of the reservoir property on the summit of Parker Hill to the Park Commissioners free of cost. It seems to me that a more desirable recreation park than would be afforded by this tract of land, by reason of its size and natural advantages, could not be established anywhere. Containing 196,202 square feet of land, ahout four and one-half acres, the reservoir tract is not only adequate to serve the purpose of a playground, but will be one of the largest playgrounds in thc city. This is made clear by a few comparisons—the National League baseball park contains 180,000 square feet; the Columhus Avenue Playground contains 213,000 square feet; and the M Street Playground contains 200,375 square feet. Of almost equal importance to size is the location of a playground with reference to its natural surroundings. The reservoir tract appears to be very fortunate in this respect. Two hundred and twenty feet above the sea level and entirely free from the smoke and grime that affects some of our playgrounds, it would prove to be the ideal park for exhilarating sport. The splendid panoramic view, including the harhor, the city, the Blue Hills, Jamaica Plain and the Newtons, which it commands, enhances its value as a recreation center.

There may he some objection from the standpoint of sentiment among the neighbors to convert the reservoir into a playground, but that I think cannot be sustained, first, hecause the reservoir is of no use now to the Water Department, and second, on account of its topography and the maintenance of the water supply there is hut a small proportion of the land availahle to the public, who use it but rarely through the week. By making it into a playground cvery foot of the area is made available, and the views and natural advantages are not only retained, but a greater numher of people are given the opportunity to enjoy them.

Very truly yours,
JOHN C. KILEY.

—

City of Boston,
In the Year Nineteen Hundred and Eleven.

An Ordinance transferring the care and control of the Parker Hill Reservoir to the Park Department.

Be it ordained by the City Council of Boston, as follows:

Section 1. Chapter nine of the Ordinances of 1910 is hereby amended hy inserting after the word "supply" in the third line of section twenty-two the following words: "with the exception of Parker Hill reservoir."

Sect. 2. Chapter twenty-eight of the Revised Ordinances of 1898 is herehy amended by inserting after the words "South Boston" in the tenth line of the first section the words: "Parker Hill reservoir."

Referred to the Committee on Ordinances.

PLAYGROUND, MATTAPAN.

The following was received:

City of Boston,
Office of the Mayor, December 18, 1911.

To the City Council:

The rapid increase in population in the district about Mattapan square warrants the helief that there will be a demand for new playground accommodations as there has been for the erection of new school huildings. With increasing congestion the demand for land will be so great that prices will inevitahly rise, and if the city is to make a purchase it must go ahout the matter promptly or suffer the consequences of delay in larger payments for its takings. I am informed that for

twenty-five thousand dollars ($25,000) a parcel suitable for playground purposes and containing one hundred and fifty thousand (150,000) to two hundred thousand (200,000) square feet can be purchased at the present time, and believe that it would be sound policy, since such provision must be made in the near future, to appropriate money for this purpose now. I recommend, therefore, the passage of the accompanying order transferring the sum of twenty-five thousand dollars ($25,000) from the Reserve Fund to an appropriation for "Playground Accommodations, Mattapan District."

Respectfully,
JOHN F. FITZGERALD, Mayor.

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of twenty-five thousand dollars ($25,000) from the Reserve Fund to an appropriation, to be expended under the direction of the Park Commissioners, for Playground Accommodations, Mattapan District.

Referred to the Executive Committee.

RELEASE OF RESTRICTIONS, FENWAY.

The following was received:

City of Boston,
Office of the Mayor, December 18, 1911.

To the City Council:

The accompanying letter from Mr. John C. Kiley sets forth the stagnation in building development in the district adjoining the Fenway, and suggests a reason therefor as well as a partial remedy. It seems to me reasonable to accept the view that the building restrictions, which were applicable when they were made, have now become not only obsolete but a positive detriment to development. As long as the present wording remains in the law, to the effect that no apartment house costing less than four thousand dollars ($4,000) per suite of apartments shall be erected, there will be few buildings of a modern character put up in this vicinity. As Mr. Kiley says, the modern apartment house contains several suites upon each floor, and the price of building them in such a manner as to conform to present restrictions is virtually prohibitive. I indorse his views and those of the Fenway Improvement Association for which he speaks, and recommend the passage of the accompanying order which has been drafted by the Law Department of the city, empowering the Park Commissioners to amend the restrictions so as to permit the erection of apartment houses costing not less than four thousand dollars ($4,000) per story, instead of per suite, for every 25 feet of frontage.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston, Office of the Mayor,
Real Estate Appraiser, December 18, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,— Since the Fenway was built there have been but two dwelling houses erected thereon, with the exception of that block between Boylston street and Westland avenue. The lack of development has caused the owners of land in this vicinity tremendous losses. For the past year the Fenway Improvement Association, which is composed of landowners in this vicinity, has carefully studied the situation, and thinks that a modification of the present restriction applying on land fronting on the park would prove to be a means by which building operations may be started. The association, through its president, John H. Storer, has asked me to consult you as to transmitting an order to the City Council modifying the present restriction.

The restriction now existing reads: "no apartment house costing less than $4,000 per suite of apartments, exclusive in each case of the cost of the land, shall be erected upon said premises." The phrase "per suite of apartments" is a technical mistake, and never was inserted in the restriction to mean what it does to-day. When the Fenway was built the apartments erected at that time consisted of one suite on a floor, each building being about 25 feet wide. To-day they are building apartments 50 and 75 feet wide, with several suites on a floor, and if a builder is forced to comply with the letter and spirit of the present restriction, it would mean that an apartment house with six suites on a floor would cost $24,000 a floor, and for a five-story building the cost would be about $120,000. This, added to the price of the land, would involve so large an investment as to prohibit its sale and make it impossible to earn any fair return on the investment.

The modification which is suggested in the inclosed order, which has been drafted by the Law Department of the City of Boston, permits apartment houses to cost not less than $4,000 per floor for every 25 feet frontage, and a proportionate amount for any increase in frontage. This is what was meant when the restriction was originally placed upon the land. The president of the Fenway Improvement Association has consulted with the Park Commissioners, and they have tentatively agreed to this change. There are about 6,000,000 square feet of land fronting on and adjoining the Fenway upon which improvements will undoubtedly be started next spring provided this restriction can be changed in the manner suggested in this order. The Park Commissioners recently modified the restriction for one of the owners by authority given them by the City Council, approved by an order from you. This order authorizes the Park Commissioners, without additional legislation, to modify restrictions whenever requested by the individual owners of Fenway land, thus making it unnecessary for the owners to apply to the City Council for such a change.

Yours respectfully,
JOHN C. KILEY.

Ordered, That the Board of Park Commissioners, with the approval of the Mayor, and by an instrument or instruments satisfactory to the Law Department, may in the name and behalf of the city modify and amend the restrictions contained in deeds or agreements given to the city by the owners of lands abutting upon the Fens, including the entrances thereto and the Charlesgate, by altering or amending paragraph 2 of said restrictions so as to permit the erection or placing upon said lands of apartment houses costing not less than $4,000 per story for every 25 feet or less of frontage, and at the same rate for any greater width.

Referred to the Committee on Public Lands.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Laura S. Humphrey, for a hearing on her claim on account of an accident on Dartmouth street.

Sheinwald Shoe Company, to be refunded the amount paid for a permit to display advertising devices, which was afterward revoked.

Mrs. Ella Ferris, for a hearing on her claim on account of injuries caused by a defect in Portland street, near No. 19.

Margaret M. Downey, for compensation for injuries caused by her being knocked down by an automobile of the Public Works Department.

Louis Perlmuter, for compensation for damages by a patrol wagon on Bennington street, East Boston.

Oak Grove Farm Creamery Company, for compensation for damages to wagon and merchandise by an engine of the Fire Department.

H. H. Brown, to be paid expense incurred on account of injuries to his wife caused by a member of the Fire Department.

Gertrude Davis, for compensation for damages caused by the shutting off of water at 75 Cottage street, East Boston.

McKenney & Waterbury Company, to be paid for damages by a broken water main on Franklin street.

John A. McCordick *et al.*, executors, to be paid for damages to estate, 69 Middle street, by the breaking of a water main in Alger street, South Boston.

Daniel V. McIsaac, for compensation for damages at 71–73 Middle street and 482–486 Dorchester avenue by the breaking of a water main in Alger street.

New England Confectionery Company, for compensation for damages at 2–3 Melcher street by the breaking of a water pipe in said street.

Adelaide E. Swift, that the city pay expense of connecting old sewer with new at 699 Shawmut avenue.

John Murray, to be paid for windows at 51 Marcella street, broken by boys playing ball on Marcella Street Playground.

John Joseph, to be paid for damages caused by a city team.

A. W. Littlefield, for a hearing on claim on account of injuries caused by a fall on Tremont street.

John J. Callahan, for compensation for expense incurred in defence of a suit brought against him on account of his acts as a police officer.

Public Lands.

Albert C. Smith (two petitions), for release of the city's right and title in lots 82 and 144 Seymour road, West Roxbury.

J. B. L. Bartlett *et al.*, for the release of the city's interest in land on Blue Hill avenue, Milton.

Mattapan Associates, for the release of the city's interest in land on Austin street and Brook road, Milton.

Executive.

Petitions were received, as follows:

Roxbury Historical Society, for change of names of certain public squares in Roxbury.

David Ferrier, for a permit for a child under fifteen years of age to appear at Odd Fellows Hall on January 1, 1912.

C. S. Day & Co., for repayment of sums paid by them for use of sidewalks in front of cellars in New Faneuil Hall Market.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted by the Secretary of the Commonwealth were received.

Placed on file.

APPOINTMENT OF DIRECTOR OF THE PORT.

Notice was received by the City Clerk from his Honor the Mayor of the appointment of William F. Fitzgerald as a member of the Board of Directors of the Port of Boston for the term ending June 30, 1914.

Placed on file.

NOTICE OF APPOINTMENTS.

Notices were received by the City Clerk from the Mayor of the appointment of John H. Dunn as Street Commissioner, and Daniel P. Shedd as Music Trustee; certified copies of said appointments having been delivered to the Civil Service Commissioners.

Placed on file.

APPROVAL OF APPOINTMENTS.

Notices were received from the Civil Service Commissioners of the appointment of Charles F. Gaynor as Institutions Registrar, and of Daniel P. Shedd as Music Trustee.

Placed on file.

STORAGE OF EXPLOSIVES.

Notices were received from the bereinafter-named that the following named buildings were used for the storage of gasolene, and of intention to use same for the ensuing year:

William H. Taft, 58 Murdock street, Brighton.

Edison Electric Illuminating Company of Boston, 74 Stanhope street, Ward 10.

Chauncey Thomas & Co., 101 Chestnut street, Ward 11.

NOTICES OF ORDERS.

Copies of orders were received from the Street Commissioners concerning the following named locations of West End Street Railway Company, viz.:

Alteration of tracks, Tremont street, 368th location.

Alteration of location Huntington avenue and South Huntington avenue, 369th location.

Alteration of location Berkeley street, 370th location.

Alteration of location Northampton street, 371st location.

Additional location, Mystic avenue, 372d location.

Additional location and alterations Southampton street, 373d location.

Placed on file.

LOCATION ON CHARLES RIVER DAM.

Notice was received from the Metropolitan Park Commissioners of granting of location to West End Street Railway Company on Charles River Dam.

(Accompanying the vote granting said location were plans of same.)

Placed on file and ordered printed.

NOTICES OF HEARINGS.

Notices were received from the Board of Railroad Commissioners of hearings as follows:

Boston Elevated Railway Company, December 8, for parapet on L structure from Causeway street to Cambridge.

West End Street Railway Company, December 8, for approval of 364th location.

West End Street Railway Company, December 15, for approval of 368th, 369th and 370th locations.

West End Street Railway Company, December 15, for approval of 371st, 272d and 373d locations.

Placed on file.

APPROVAL OF LOCATIONS.

Notice was received from the Railroad Commissioners of approval of parapet on elevated structure, from Causeway street to Cambridge, built by Boston Elevated Railway Company.

Placed on file.

HEARINGS BEFORE PORT DIRECTORS.

Notices were received from the Directors of the Port of Boston of hearings on December 21, at nine o'clock a. m., on the following petitions:

Edith A. Richards to extend wharf in Mystic river at 331 Medford street, Charlestown.

Lockwood Manufacturing Company, to build bulkhead and fill solid at East Boston.

George T. Rendle, to build wharf and bulkhead and fill solid on Chelsea creek, East Boston.

Standard Oil Company, of New York, to build bulkhead and fill solid on Chelsea creek, East Boston.

Boston Elevated Railway Company, to maintain and operate two submarine cables in Chelsea creek in the cities of Boston and Chelsea.

Placed on file.

TRACK LOCATION, BRYANT STREET.

Copy of order was received from the Street Commissioners granting track location on Bryant street to the United Drug Company.

Placed on file and ordered printed.

AMENDMENTS TO TRAFFIC REGULATIONS.

The following was received:

City of Boston,
In Board of Street Commissioners,
Boston, Mass., December 6, 1911.

Ordered, That section 1 of Article 8 of the rules for the regulation of street traffic be amended by adding thereto the following street to be a one-way street:

Hawley street, southwesterly from Franklin street to Summer street.

Ordered, That section 2 of Article 9 of the rules for the regulation of street traffic be amended by

adding thereto the following street where vehicles shall not stand for more than five minutes at a time:

Beacon street, between Somerset street and Tremont street.

SALEM D. CHARLES,
JAMES A. GALLIVAN,
JOHN H. DUNN,
Street Commissioners.

A true copy.
Attest:
J. J. O'CALLAGHAN, Secretary.
Placed on file.

THREE CENT COINAGE.

The following was received:

City of Cleveland,
Legislative Department,
December 2, 1911.

City Clerk,
Boston, Mass.:

Dear Sir,—Inclosed please find copy of self explanatory resolution adopted hy the council of the city of Cleveland on November 27 and approved by the Mayor December 1.

Yours truly,
R. Y. McCRAY, City Clerk.

Whereas, It is officially announced that there will he presented to the Congress of the United States by Congressman Rohert J. Bulkley, representing the Twenty-first Congressional district of Ohio, an act authorizing the coinage by the United States of metal coins of the value of three (3) cents; and

Whereas, In the opinion of this council the coinage of such money would he of great value to this city, where there is in effect three-cent fare;

Now, therefore, he it resolved by the council of the city of Cleveland, state of Ohio, that the clerk of this council he and he is herehy authorized to establish communication with the congressmen from the various congressional districts of the state of Ohio, and with the two United States senators representing this state, and urge their cooperation in the enactment of it, as herein set forth, and that a copy of this resolution be forwarded to the various councils of the twelve (12) largest cities of the United States with a request that they cooperate, as far as is within their power, toward the passage of such a law.

Placed on file.

BIDS CONCERNING DISPOSAL OF REFUSE.

The following was received:

City of Boston,
Public Works Department,
December 14, 1911.

To the Honorable the City Council:

In accordance with the request of your honorable body, in connection with the bids for the disposal of refuse, recently opened by this department, I transmit herewith the proposals and plans of Jeremiah P. O'Riorden, No. 6 City square, Charlestown, and of Daniel P. Sullivan, No. 9 Globe Building, Boston, Mass.

Very respectfully,
L. K. ROURKE,
Commissioner of Puhlic Works.

Referred to Executive Committee.

COMPENSATION FOR PROBATION OFFICER.

The following was received:

Commonwealth of Massachusetts,
Municipal Court of the City of Boston.

Mr. John T. Priest,
City Clerk of the City of Boston:

You are hereby notified that, under the provision of Revised Laws, chapter 217, section 92, as amended by chapter 479, Laws of 1910, the compensation of assistant female probation officer of this court, Elizabeth A. Lee, has been fixed at $1,500 per year, subject to the approval of the County Commissioners. To take effect upon the first day of January, A. D. 1912.

Respectfully yours,
FRED C. INGALLS, Clerk.

Referred to the Committee on County Accounts.

PROMULGATION OF THIRTY-EIGHTH AMENDMENT.

The following was received:

A Proclamation Promulgating the Thirty-eighth Article of Amendment to the Constitution, 1911.

The Commonwealth of Massachusetts.
By His Excellency Eugene N. Foss, Governor

A Proclamation Promulgating the Thirty-eighth Article of Amendment to the Constitution.

Whereas, A certain article of amendment to the Constitution of the Commonwealth was agreed to in the manner prescrihed in said Constitution, by the general court of the year one thousand nine hundred and nine, and also by the general court of the year one thousand nine hundred and ten;

And, whereas, Certain resolves were passed by the general court of the year one thousand nine hundred and eleven, and approved by the Governor on the fifteenth day of May last past, providing for submitting said article of amendment to the people for their ratification and adoption; which said article of amendment is as follows:

"ARTICLE XXXVIII.

"Voting machines or other mechanical devices for voting may be used at all elections under such regulations as may be prescrihed by law: *provided, however*, that the right of secret voting shall be preserved."

And, whereas, The said article of amendment was duly approved and ratified by a majority of the qualified voters of the Commonwealth voting thereon on the seventh day of Novemher, instant:

Now, therefore, I, Eugene N. Foss, Governor by virtue of the authority to me given in the resolves aforesaid, do issue this my proclamation, and do hereby announce that the said article of amendment has become a part of the Constitution of the Commonwealth of Massachusêtts; and all magistrates and officers and all citizens of the Commonwealth are required to take notice hereof and govern themselves accordingly.

Witness, his Excellency the Governor, at Boston, this twenty-eighth day of November, in the year of Our Lord one thousand nine hundred and eleven, and of the independence of the United States of America the one hundred and thirty-sixth.

EUGENE N. FOSS,
By His Excellency the Governor.
ALBERT P. LANGTRY,
Secretary of the Commonwealth.

God save the Commonwealth of Massachusetts.
Placed on file.

PROMULGATION OF THIRTY-NINTH AMENDMENT.

The following was received:

A Proclamation Promulgating the Thirty-ninth Article of Amendment to the Constitution, 1911.

The Commonwealth of Massachusetts.
By His Excellency Eugene N. Foss, Governor.

A Proclamation Promulgating the Thirty-ninth Article of Amendment to the Constitution.

Whereas, A certain article of amendment to the Constitution of the Commonwealth was agreed to in the manner prescribed in said Constitution, hy the general court of the year one thousand nine hundred and ten, and also by the general court of the year one thousand nine hundred and eleven;

And, whereas, Certain resolves were passed by the general court of the year one thousand nine hundred and eleven, and approved hy the Governor on the ninth day of June last past, providing for suhmitting said article of amendment to the people for their ratification and adoption; which said article of amendment is as follows:

"ARTICLE XXXIX.

"Article ten of part one of the Constitution is hereby amended by adding to it the following words: — The legislature may by special acts for the purpose of laying out, widening or relocating highways or streets, authorize the taking in fee by the commonwealth, or hy a county, city or town, of more land and property than are needed for the actual construction of such highway or street; provided, however, that the land and property authorized to be taken are specified in

the act and are no more in extent than would be sufficient for suitable building lots on both sides of such highway or street; and after so much of the land or property has been appropriated for such highway or street as is needed therefor, may authorize the sale of the remainder for value with or without suitable restrictions."

And, whereas, The said article of amendment was duly approved and ratified by a majority of the qualified voters of the Commonwealth voting thereon on the seventh day of November, instant:

Now, therefore, I, Eugene N. Foss, Governor by virtue of the authority to me given in the resolves aforesaid, do issue this my proclamation, and do hereby announce that the said article of amendment has become a part of the Constitution of the Commonwealth of Massachusetts; and all magistrates and officers and all citizens of the Commonwealth are required to take notice hereof and govern themselves accordingly.

Witness, his Excellency the Governor, at Boston, this twenty-eighth day of November, in the year of Our Lord one thousand nine hundred and eleven, and of the independence of the United States of America the one hundred and thirty-sixth.

EUGENE N. FOSS.

By His Excellency the Governor.

ALBERT P. LANGTRY,
Secretary of the Commonwealth.

God save the Commonwealth of Massachusetts.

Placed on file.

PAYMENT FOR BROKEN WINDOWS.

The following was received:

City of Boston,
Police Department, December 14, 1911.

To the Honorable the City Council:

Mr. J. R. Hamm, of 46 Howard street has presented the inclosed bill to this department, and upon the suggestion of the City Auditor, to whom applications was made at my order for his opinion as to the propriety of paying the bill directly, I inclose it for such action as you may feel it proper to take.

A copy of a report from Captain Peabody, which I herewith inclose, explains the manner in which the damage occurred for which reimbursement is sought. I am of the opinion that there is no legal liability upon the part of the Police Department, but believe that the claim of Mr. Hamm is entitled as a matter of equity to your consideration, and would if I had the sanction of law cause it to be paid.

I inclose also a copy of a report accounting for Mr. Hamm's inability to produce receipted bill for the amount already expended by him.

STEPHEN O'MEARA,
Police Commissioner for the City of Boston.

Police Station No. 3, September 11, 1911.

William H. Pierce,
Superintendent of Police:

Sir,— I respectfully report that I caused an investigation to be made in relation to the matter in the attached letter, wherein J. R. Hamm of No. 46 Howard street, corner of Somerset street, complains that a plate glass window in his store at the above address was broken by a police officer of this division; the following are the facts:

About 7 p. m., August 11, 1911, Reservemen John J. Herlihy and Gustav A. Schultz of this division were arresting William J. Donovan, twenty-six years old, of No. 694 Massachusetts avenue, Cambridge, Mass., for drunkenness, and while taking him to signal box No. 38, corner Somerset and Howard streets and when in front of Mr. Hamm's store, Donovan resisted arrest in such a manner that he tried to break away from the officers; in doing so Reserveman Herlihy was pushed against the plate glass window in Mr. Hamm's store, cracking the same.

Mr. Hamm further complains that about three years ago a plate glass window in his store on the Somerset street side was broken by a police officer in making an arrest, costing him $28 to replace the same. He never received any compensation for the damage done. To replace the glass in the window broken he says will cost him about $30, which was not insured.

Respectfully submitted,
IRVING A. H. PEABODY,
Captain Division No. 3.

Police Station No. 3, December 14, 1911.

Leo A. Rogers,
Secretary Police Commissioner:

Sir,— I respectfully report that in relation to the window in the store of J. R. Hamm & Co., No. 46 Howard street, that was broken on June 28, 1906, will say that he paid $28 for replacing the same, but he is unable to find the receipted bill and he says he cannot get the bill as the man who put the window in is now dead.

As to the second window which was broken August 11, 1911, it has not been replaced yet, but the glass is cracked and is held in place by a rivet.

Inclosed you will please find an estimate of the cost of the two windows which was furnished by Mr. Hamm.

Respectfully submitted,
IRVING A. H. PEABODY,
Captain Division No. 3.

(Inclosed was a bill for $52.88.)

Referred to Committee on Claims.

PROTEST AGAINST GARBAGE DEPOT, DORCHESTER.

A communication was received from the Savin Hill Improvement Association protesting against proposed garbage depot at Harrison square.

Referred to the Executive Committee.

METROPOLITAN PLANS.

The following was received:

The Commonwealth of Massachusetts,
Metropolitan Plan Commission,
Room 441, State House, Boston,
December 2, 1911.

To the Mayor and City Council,
City Hall, Boston, Mass.:

Gentlemen,—In response to a general request from representatives of the various municipalities of the district for a preliminary outline of the legislation which seems to be indicated by the advice received by the commission and the study it has made, the inclosed suggestions are submitted for your consideration.

The Metropolitan Plan Commission regards itself as your servant in this matter, and in its opinion the final bill should be as nearly as possible the common agreement of the various communities of the district.

These suggestions, therefore, are tentative and every municipality in the district has this further opportunity to be heard from before the final draft is made. The commission will be glad to receive your opinions or suggestions, either in writing or at further hearings, if you so desire.

In view of the importance of this matter to your own community, we ask you to give such help as will make this legislation provide a bill which will be most beneficial to your municipality and the rest of the metropolitan district.

Please let us have your advice at the earliest possible date.

Yours very truly,

METROPOLITAN PLAN COMMISSION,
by WINTHROP A. GRIFFIN, Secretary.

November 29, 1911.

METROPOLITAN PLAN COMMISSION.

Statement of Suggestions for a Bill.

The Metropolitan Plan Commission has been appointed to report as to the feasibility of a plan for the metropolitan district, and to draft legislation, if it seems fit, that shall be applicable to the making of such a plan. This commission goes out of existence January 1.

By correspondence, conference and study the commission has arrived at certain general conclusions upon which it will appreciate your criticism and advice.

They are as follows:

1. There should be a central authority planning the development of the whole district.
2. The local autonomy of the various municipalities should not be infringed upon.
3. The state and the district should contribute together with the local municipality towards the

cost of improvements of metropolitan character, and, furthermore, the state should loan its credit for such works against repayment through annual assessments upon the cities and towns of the district.

The thirty-eight cities and towns comprising the metropolitan parks district are specified as the metropolitan district in the resolve creating the present commission.

There is need of great radial highways to handle the business of Boston. We need circumferential thoroughfares to make the traffic ways between the cities and towns of the district as efficient for business purposes as the boulevard system is for pleasure vehicles. Some official body which will advise as to the reservation of public squares, small parks and playgrounds and as to the general street treatment in every city and town of the district is probably needed. As it is now the local authorities to a large extent are compelled to obtain advice in these matters from a hired expert.

In the district there are certain blighted areas which might be rehabilitated by opening up new streets running through to more favored localities, or by many other means which would suggest themselves to a body which should give this thing careful study.

It would seem, therefore, that some central authority—call it, perhaps, a Metropolitan Planning Board—should be permanently constituted, that this Board should first make a survey of the metropolitan district, together with a study of the population, of the commerce and industry of each locality and the existing and future possibilities within the district. With this as a basis, and after consultation with the officials of the various communities interested, a series of comprehensive general plans which should embody the means and possibilities of development might be made. The study of commerce and industry and the recognition of the magnificent equipment of the metropolitan district with its libraries, technical schools and art museums might well lay the foundations of the plans which would bring to this district the manufacture of those commodities whose chief value is in applied art and applied science, and the export of which to this country is enriching Germany and France. Such a study might suggest plans for coordinating and extending transportation facilities, the location of small playgrounds, reservation of lands for public buildings, the unification of building laws, the prevention of congestion, the reduction of fire hazards and better methods of financing public improvements.

Such a Board might be empowered to examine and report upon all plans for improvements of metropolitan character contemplated by any existing public authority. The proposed Board might have the power to put before any local government the question of the execution of any metropolitan improvement that might lie within its borders. Unless such a local government should vote to undertake the improvement, nothing would be done and no money would be spent. If the local government votes in favor of such an improvement, it would be executed not by the proposed Board but by the local government itself according to the plans of the Board. To facilitate construction, it is proposed that the state shall finance the work, that the city or town in which the improvement may lie shall pay only 65 per cent of the total cost, the remaining cities and towns paying 25 per cent. This 25 per cent should be payable according to an apportionment by a special tribunal appointed by the Supreme Court, and the apportionment should be on the basis of the benefits, if any, to each city and town affected by the improvement, taking into account also its population and valuation. Finally, the state, which receives so large a proportion of its revenue from the metropolitan district, and is deeply interested in its growth and the increase of its taxable property, should pay a small proportion of the cost of metropolitan improvements, say 10 per cent. The above proportions would hold only for what the Board might designate as ordinary metropolitan improvements. In some cases it might not be just for the locality in which the improvement is situated to pay as much as 65 per cent, in which case the tribunal appointed by the Supreme Court would have the power to diminish this 65 per cent to such extent as in its judgment would be fair and just.

It has also been suggested that the commission should consider any matter important to the development of the metropolitan district which might be proposed by any of the communities, investigate it, report and publish its findings with recommendations to the Legislature.

The commission has been advised that a Board of five members, three, including the chairman, appointed by the Governor, as representing the district, and two by the Mayor of Boston, might fairly represent the proportional benefits as between the suburban municipalities and the central city.

The theory of these suggestions is to enable the cities and towns of the district to make certain much needed improvements earlier and more easily than they now can.

Nothing has been finally settled in regard to a proposed bill, but the commission is making every effort to present a measure which shall be to the best advantage of the cities and towns of the district.

Criticism of these proposals and alternative suggestions which might be incorporated in legislation are absolutely essential if the proposed measure is to be of real value.

Referred to the Executive Committee.

CLERK HIRE.

W. T. A. Fitzgerald, Register of Deeds, submitted a list in accordance with the provisions of section 33 of chapter 22 of the Revised Laws, certifying that certain persons had been employed in his office from November 20 to December 18, and that work had been performed to the amount of $3,102.85.

Referred to the Committee on County Accounts.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses for four newsboys, three vendors and one bootblack—recommending that the same be granted.

Reports accepted; licenses granted on the usual conditions.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up Nos. 1, 2 and 3, unfinished business, viz.:

Action on appointments submitted by the Mayor November 27, viz.:

1. Nathaniel G. Robinson and Francis P. Aieta, to be Constables of the City of Boston for the term ending April 30, 1912.

2. John J. Barnes, Daniel P. Carney and John Thompson, to be Measurers of Grain and Inspectors of Pressed or Bundled Hay and Straw for the term ending April 30, 1912.

3. Joseph W. Cook, to be a Weigher of Coal, Measurer of Wood and Bark, Measurer of Grain, Inspector of Pressed or Bundled Hay and Straw, Weigher of Boilers and Heavy Machinery and Weigher of Beef for the term ending April 30, 1912.

The question came on confirmation. Committee—Coun. Ballantyne and McDonald. Whole number of ballots cast 9, yeas 9, and the several appointments were confirmed.

President COLLINS called up No. 4, unfinished business, viz.:

4. Miss Etta Alpert and Mrs. Catherine Ford, to be Weighers of Coal; Arthur F. Langley, to be a Measurer of Grain and an Inspector of Pressed or Bundled Hay and Straw, and Eugene P. McDonald, to be a Weigher of Coal, Measurer of Wood and Bark, Measurer of Grain, Weigher of Boilers and Heavy Machinery and Weigher of Beef, for terms ending April 30, 1912.

The question came on confirmation. Committee—Coun. Curley and Buckley. Whole number of ballots cast 9, yeas 8, nay 1, and the appointments were confirmed.

PLAYGROUND, WARD 2.

President COLLINS called up unfinished business, No. 5, viz.:

5. Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of fifty thousand dollars ($50,000) from the appropriation for Reserve Fund to an appropriation,

to be expended under the direction of the Park Commissioners, for Playground Accommodations in Ward 2.

On November 27 the foregoing order was read once and passed, yeas 7, nays 2.

The order was given its final reading and passed, yeas 7, nays 2, Coun. HALE and SMITH voting nay.

BRANCH LIBRARY, EAST BOSTON.

President COLLINS called up unfinished business, No. 6, viz.:

6. Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of fifty thousand dollars ($50,000) from the appropriation for Reserve Fund to an appropriation, to be expended under the direction of the Trustees of the Boston Public Library, for Branch Library, East Boston.

On November 27 the foregoing order was read once and passed, yeas 7, nays 2.

The question came on the second and final reading and passage of the order.

Coun. HALE—Mr. President, in order that there may not be any misunderstanding as to my vote on these three matters, I will say that I am voting against them not because I do not believe in the objects themselves, but because I do not believe in the way they are being financed. I believe they should come out of loan and not out of the Reserve Fund.

The order was given its second and final reading and passage, yeas 7, nays 2, Coun. HALE and SMITH voting nay.

MUNICIPAL BUILDING, WARD 7.

President COLLINS called up unfinished business, No. 7, viz.:

7. Ordered, That in accordance with the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of ninety thousand dollars ($90,000) from the appropriation for Reserve Fund to an appropriation, to be expended under the direction of the Superintendent of Public Buildings, for Municipal Building, Ward 7.

On November 27 the foregoing order was read once and passed, yeas 7, nays 2.

The order was given its final reading and passed, yeas 7, nays 2, Coun. HALE and SMITH voting nay.

BATHING BEACH, FREEPORT STREET.

President COLLINS called up unfinished business, No. 8, viz.:

8. Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of nine thousand dollars ($9,000) from the appropriation for Reserve Fund to an appropriation, to be expended under the direction of the Bath Trustees, for the purchase of shore property and the flats adjacent thereto on the northeast side of Freeport street, Dorchester, and the improvement thereof as a bathing beach.

On November 27 the foregoing order was read once and passed, yeas 8, nays 0.

The order was given its final reading and passed, yeas 9.

SOLDIERS' RELIEF.

Coun. HALE, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of December.

Report accepted; order passed.

COMMITTEE ON CLAIMS.

Coun. BUCKLEY, for the Committee on Claims, submitted a report on petition of Edward F. Brennan (referred June 26) for compensation for expense incurred by him on account of his act as police officer—recommending the passage of the following:

Ordered, That there be allowed and paid to Edward F. Brennan the sum of one hundred dollars ($100) for expenses incurred by him in suit against him on account of his act as a police officer, said sum to be charged to the appropriation for Police Department.

Report accepted; order passed.

COMMITTEE ON FINANCE.

Coun. KENNY, for the Committee on Finance, submitted the following:

(1) Reports on various papers—that the same be placed on file, viz.:

Order (referred July 7) for loan of $297,800 for new buildings, etc., hospital, South Department.

Message and communication (referred June 13) relative to loan for hospital, South Department.

Message and communication (referred September 11) relative to improvements at hospital, South Department.

Message and estimate (referred November 13) of cost of new station, Division 6, South Boston.

Message and communication (referred October 30) relative to additional appropriation of $175,000 for Chelsea Bridge North.

Message and communication (referred May 31) for loan of $130,000 for additional buildings, Consumptives' Hospital.

Message and communication (referred October 2) relative to $50,000 for Children's Hospital.

Message and communication from Park square Trust (referred November 13) relative to Arlington street.

Communication from Hospital Department (referred last year) relative to $230,000 for improvements at hospital.

Message and communication (referred last year) relative to loan of $297,800 for new buildings and changes at hospital, South Department.

Message and communication (referred February 20) for new building for hospital, contagious department.

Message of Mayor (referred November 27) relative to extension of Arlington street and widening of Ferdinand street.

Communication from Superintendent of Public Buildings (referred November 13) as to cost of courthouse, Charlestown.

Coun. HALE—Mr. President, might I ask when the committee took this action in regard to these matters?

Coun. KENNY—Mr. President, the Committee on Finance met the Friday following the last regular meeting of the Board and took that action.

Coun. HALE—Mr. President, there is just one item there upon which I would like to get a little more information. I am not at all sure that I do not agree with the committee in regard to the improvement of the Charlestown courthouse, but I would like to have that message read.

The message in regard to the Charlestown courthouse was read.

Reports accepted; papers placed on file.

(2) Report on message of Mayor and order (referred October 30) that the sum of $20,000 additional be appropriated for municipal building, South Boston—that the order ought to pass.

Coun. SMITH—Mr. President, may I ask the chairman of the committee what the previous money came from—loan or appropriation?

Coun. KENNY—Mr. President, the first order was a loan for $120,000. The supplemental order was a transfer from a loan of $30,000.

Coun. BUCKLEY—Mr. President, I would like to ask the gentleman just how much this $20,000, if it passes, makes altogether for that purpose?

Coun. KENNY—$170,000, Mr. President.

The report was accepted, and the order was given its first reading and passage, yeas 9. The question of final reading and passage will come up in not less than two weeks.

(3) The Committee on Finance, to which was referred—October 30—message of Mayor and order for extension of Arlington street and widening of Ferdinand street, having considered the subject, respectfully reports that the order ought not to pass, without prejudice to the Arlington street extension; and further reports, recommending the passage of the following:

Ordered,—

(1) That the Street Commissioners, through his Honor the Mayor, be requested to report to the City Council the estimated cost of extending Arlington street from Boylston street to Colum-

bus avenue, at a width of seventy feet, under the provisions of the 39th amendment of the state constitution, which amendment amends part 1, Article 10, of said state constitution.

(2) That the Street Commissioners, through his Honor the Mayor, be requested to report to the City Council the estimated cost of extending Arlington street, from Boylston street to Columbus avenue, at a width of 70 feet, under other provisions of law.

(3) That the Street Commissioners and his Honor the Mayor be requested to confer with the New York, New Haven & Hartford Railroad officials relative to any offset and contribution by said railroad company with respect to the carrying out of the project herein contemplated, under provisions 1 and 2 above, and report to the City Council in a further message accordingly.

The report was accepted.

Coun. HALE offered the following:

Ordered, That the order be amended by adding the following:

"That the Street Commissioners be requested, through his Honor the Mayor, to ascertain and report to the Council the cost of widening Ferdinand street, from Columbus avenue to Castle square, under the 39th amendment to the state Constitution.

"First—Eighteen feet.

"Second—Thirty feet."

Coun. HALE—Mr. President, I trust that there will not be any misunderstanding about this amendment, and that there will be no trouble about having it passed. It is not an order committing the committee in any way to any project. I personally am not at all sure that I favor the widening of Ferdinand street from Columbus avenue to Castle square, but I don't think the Committee on Finance of the Boston City Council ought to turn down any project that has been recommended by the Mayor of this city without even taking the trouble to find out how much the improvement will cost. It is simply on that ground, to find out how much the improvement will cost, that I am putting in this order. It may be suggested that we all know that the cost will be substantial. It was suggested in the committee by one of the members. I should like to point out that under this amendment to the Constitution, and under similar provisions in other places, large improvements have been made in foreign cities, in London and other citics, and in South America, costing absolutely nothing, the sales of adjoining land more than balancing the cost of the improvement. I, for one, do not see how any man in this Council can say that he knows the cost of this widening is going to be substantial in view of the experience in European and South American cities. I hope this order will go through unanimously.

Coun. BALLANTYNE—Mr. President, I have no objection to this addition to the report going through in this way, but I wish to take this opportunity to make my position in the matter perfectly clear. The report as presented by the committee covers my views on this whole matter very clearly. It was suggested in the committee that while probably a majority of the members of the Council were opposed to any expense for the widening of Ferdinand street at the present time, it would be well to have an estimate of the cost of that project; and I, for one, have no objection to the members of the Council who wish that information obtaining it. For that reason I am going to favor the addition to the report of the committee. But I want to make myself perfectly clear on this point, that at the present time I do not favor the widening of Ferdinand street. I am probably in favor of the extension of Arlington street because I think that is a very much needed improvement and will be the means of developing a very large tract of land which is undeveloped at the present time. In the future, when traffic through that section demands the widening of Ferdinand street, I would probably in this Council favor such a project, but I would not favor its being extended to a width of only 58 fect. I believe that when that improvement is made it ought to be a street as wide as the street that leads up to it, the extension of Arlington street, 70 feet. I have no objection, as I said a moment ago, to these gentlemen having this information, and will vote for the order on this ground only.

Coun. CURLEY—Mr. President, personally I feel with relation to the order that it is unfair to the committee and would have a tendency to confuse the public mind as to the position of the Committee on Finance with relation to the entire proposition, were the amendment adopted at this time. I see no objection to a request for information of that character at some time later in the meeting, but I do see serious objection to the consideration of an amendment of that character to the report of a committee which has been submitted to the Board for acceptance or rejection. I do not propose to debate the merits or demerits of the proposition, because after all there is no merit in the Ferdinand street proposition. In order, however, that that proposition may be considered as it should be considered, as a proposition separate and distinct from the report of the committee on this particular measure, I would respectfully move that the amendment as submitted by Coun. Hale lie on the table.

Coun. HALE—Mr. President, I hope that the motion to lay on the table——

Coun. CURLEY—Mr. President, I rise to a point of order, that the motion to lay on the table is not debatable.

President COLLINS—The point of order is well taken. The motion is not debatable. The question comes on Coun. Curley's motion to lay on the table.

The motion to lay on the table was defeated by a rising vote, 3 to 5, and the question came on the amendment offered by Coun. Hale.

Coun. KENNY—Mr. President, if the last motion had not been of such a character as not to permit members to arise and speak, I should have addressed the Chair. I see no objection to the amendment, as chairman of the committee. If I thought the amendment weakened the report of the committee I should have voted against it, because my mind is quite fully settled against the widening of Ferdinand street. I assume, and I so stated in the committee, that the widening of Ferdinand street in any event, in any phase, will be an expensive proposition. It will be a matter of considerable expense to the city to widen Ferdinand street; therefore, I should be against the widening of Ferdinand street. But, nevertheless, if members of the committee desire to have this information I see no objection to it, and I see no harm in the amendment passing and the information being ascertained and reported to this body.

Coun. SMITH—Mr. President, I hope very much that this amendment will go through, otherwise the Council will be committed to deciding against Ferdinand street. As one member of the Council I wish to say that my mind is entirely open on that proposition. I have not made up my mind, as some members of the Council have, against Ferdinand street. We held a public hearing on the question and received very little enlightenment. It is noteworthy that at that hearing there appeared in favor of the proposition a representative of the Chamber of Commerce; it is noteworthy that the Mayor has recommended it; it is noteworthy that the Improvement Commission has twice recommended it; and it is also noteworthy that the only opponents of this proposition have been an attorney who is hired by a garage on Ferdinand street, two owners of the garage, an automobile supply man who has his shop across the street, and one resident. In addition, there was one man who is now running for the City Council who desired to make political capital out of the hearing. Those are the only opponents of this measure, which is recommended by the Mayor of the City of Boston, by the Chamber of Commerce, and twice by the Improvement Commission. It leaves the members of this Council very much in doubt. It is regrettable that the public have not taken a greater interest in this matter. I wish to say that personally my mind is entirely open in this matter and that in voting for this report of the committee I still reserve my right to vote either way on the final question.

Coun. CURLEY—Mr. President, it is rather amusing to sit here and listen to the member on the opposite side of the Chamber disposing as lightly as he does of the serious and sound objections that have been advanced by taxpayers against this proposition. Personally I can perhaps see no great danger that would result in consequence of the adoption of this amendment, other than that, as I pointed out, it might be construed as an expression of opinion of the Committee on Finance, who have carefully considered this subject, if adopted as an amendment to their report. I still adhere to that belief, despite the fact that the committee's report specifically states that the entire proposition is rejected without prejudice

to the Arlington street extension, and of course the fact that no mention is made of Ferdinand street is the best indication in the world of the seriousness of the consideration accorded that as a proposition deserving of consideration by the Committee on Finance. I do not believe that any member of this Council is justified in permitting the impression to go forth that the persons appearing in opposition to this proposition consist solely of a paid attorney, as the councilor on the other side of the Chamber has said, and an agent for automobile supplies. A very illuminating article with reference to the entire proposition appeared in Saturday's edition of the Boston *Globe* from one who has been considered an authority on the subject of taxation and on the subject of city planning and development. While I seldom agree with the gentleman I confess that I am compelled to admire his views upon this particular proposition. The gentleman in question was a former mayor of Boston, the Hon. Nathan Matthews, Jr., and Mr. Matthews says in regard to this particular matter:

"Is it not time for some taxpayer of this city"—and I read this, Mr. President, for the benefit of Coun. Smith who I trust will give his attention to this particular statement of Mr. Matthews——

"Is it not time for some taxpayer of this city to protest against the proposed expenditure of a large amount of public money for the extension of Arlington street and the widening of Ferdinand street?

"These improvements are for the benefit of the owners of the land formerly occupied by the Boston & Providence Railroad Station; the advantage to the city as a whole seems to be utterly incommensurate with the $500,000, more or less, which the city is expected to pay and raise by loan, and if this amount of money is or becomes available for public use there are innumerable other purposes to which it might be applied with real advantage to the people.

"The argument that the expense would be justified by the increase in tax rates is an obvious economic fallacy, unless (1) the annual taxes upon the increase in the aggregate assessment of the real estate benefited by the improvement will exceed the annual interest and sinking fund requirements of the city bonds issued for the purpose; and (2) the gain in the assessed value of this real estate is a net gain to the city as a whole, and is not offset in reductions elsewhere. Neither of these propositions is probably true; certainly neither can be demonstrated. The burden of proving them lies on the advocates of the loan, and no intelligent attempt to discharge this burden has come to my attention.

"The argument that buildings will be erected on the land in question is entirely beside the case, unless it can be shown: (1) that the money which will be invested in these buildings would not be invested anyway in buildings in other parts of the city; and (2) that the money will be drawn from investments which are not now subject to taxation, either state or local. The sale of property does not increase the wealth of the community as a whole. It is merely a transfer from one form of taxable investment to another.

"In fact, unless it can be shown that a proposed improvement will increase the aggregate wealth of the city by bringing into it property or business which is not here now, and will not come here anyway, no sound economic argument, based on tax values, can be discerned for carrying out the improvement at the public cost.

"This proposition seems to me to be well illustrated by the recent experience of the city in the matter of the South Station, an improvement which will cost the city, first and last, about $5,000,000, mostly represented by long-time loans. A considerable shifting of real estate values has been caused by the change in railroad terminals made when the station was finished, but the aggregate prosperity or wealth of the city has certainly not been increased by this change, and not one dollar of public money ought to have been contributed to it.

"And now, in the face of this experience, it is proposed to devote another half million of city money to the development of the derelict lands left as a result of the change in terminals in the possession of one of the two railroad corporations for whose benefit the city has already sunk $5,000,000!

"If the proposed street were needed as a new thoroughfare for public travel, the case might be different; but with two wide streets, Berkeley and Pleasant (the widening of which has just been ordered), running from Tremont to Boylston streets, and less than 1,500 feet apart, another highway between the two is not justified by any conceivable argument based upon the necessities of travel.

"The whole scheme seems to be nothing but an attempt to secure a large public contribution for a private development street, which in every other community would be paid for by the landowners themselves.

"The $500,000 of public money involved can far better be used for new schools, small playgrounds in congested centers, new fire apparatus, sewage improvements, some really meritorious improvements and other pressing public needs.

"Respectfully yours,

"N. MATTHEWS."

Mr. President, that is the opinion of Mr. Matthews, and the opinion of a gentleman who seldom agrees with Mr. Matthews, and who has been styled a man who made a presentation of the case before the committee purely for political effect, is also very illuminating. This young man in question, Mr. Goodwin, points to the fact that a list of petitions for street construction up to July 23, 1908, before the Street Commission, contained petitions for 428 orders for street construction, divided as follows: City proper, 35; Charlestown, 11; South Boston, 22; East Boston, 14; Roxbury, 78; Dorchester, 140; West Roxbury, 93; Brighton, 35. I believe that everything that was said by Mr. Goodwin in his presentation is worthy of the serious consideration of every member of this Council, and I would most respectfully ask that this entire report, both of those who favor and those who oppose the proposition for the extension of Arlington street and the widening of Ferdinand street be included as a part of the proceedings in connection with the consideration of this particular proposition. (Referring to report of hearing before the Finance Committee, December 12, on extension of Arlington street and widening of Ferdinand street.) Just one word further. Personally I believe that the proposition to widen Ferdinand street is an absolutely indefensible one, that there is no argument that can be advanced sound in character or honest in purpose that would justify the serious consideration of any member of this Council in favoring such a proposition.

Coun. SMITH—Mr. President, I would beg to suggest that the gentleman is not talking to the matter under discussion.

President COLLINS—The Chair rules that the question is on the amendment offered by Coun. Hale, and it seems to the Chair that the gentleman is in order.

Coun. CURLEY—Mr. President, to continue, the interruptions of the councilor on the other side of the Chamber are exceedingly refreshing. They are never dangerous, because the points raised by him seldom have any bearing on the matter under consideration, and they afford only a sometimes necessary breathing spell. To continue, there is absolutely no argument that can be advanced in favor of the proposition. Is it proposed that this street, Ferdinand street, be widened to an equal width with Arlington street? If it is, then it becomes necessary to take 12 feet off the most expensive building in that section of the city, the First Corps of Cadets Armory, or to take 12 feet off the new Abraham Lincoln School, to run a 70-foot street to a dead end on Tremont street. And for what purpose? Simply for the purpose of increasing the prosperity of a corporation that has permitted its property to remain a drug on the market because of the price demanded for it for more than twenty years—a corporation that has never seriously presented for the consideration of the municipality any development scheme unless in the consideration and the acceptance of that proposition the city would be compelled to hear the major part of the expense attached to the development proposition. Taking literally what has been said by the promoter in charge of this proposition before the committee, I have no serious objection to Mr. Minot increasing his store of worldly goods as he admits would possibly be the result to some extent in the event of Ferdinand street being widened, he admitting that within two weeks of the proposition by the committee he had purchased property on Piedmont street in the vicinity of Ferdinand street, and on the side of the street where it was proposed that the widening should take place. He admits that his corporation,

his land trust, have under consideration the development not only of Arlington street and of Ferdinand street, but of Stuart street and St. James avenue, and it is not an unreasonable proposition that some board or some body of so-called public spirited citizens will, with a view to the development of that section of Boylston street between Massachusetts avenue and Exeter, which now lies dormant, bring in a proposition for the widening, acceptance and extension of that, and for a new thoroughfare connecting Massachusetts avenue with the South Station running through Eliot street. But we have under consideration at the present time Ferdinand street.

Coun. SMITH—Mr. President.

President COLLINS—Does the gentleman yield?

Coun. CURLEY—I will yield to a point of order.

Coun. SMITH—I only wished to ask a question. I simply desired to ask the gentleman whether he was arguing against the whole proposition or the Ferdinand street end?

Coun. CURLEY—Mr. President, as I have pointed out before, it is rather unfortunate to have these interruptions, because they denote neither sense, discretion nor judgment, and reflect much upon the membership of the body. To continue, Ferdinand street, as I have said, is a proposition that lacks merit absolutely, a proposition that is indefensible. As for Arlington street, personally, regardless of the views entertained by others, I believe the extension of that street to Columbus avenue might be of benefit to that section of the city. But I can see no benefit, other than the pecuniary benefit that might result to the promoters, from the widening of Ferdinand street, and I do not believe it is the duty of this Board, elected to serve the interests of all the people, to favor such propositions as promote only the welfare and the financial interests of a certain few individuals, some of whom live in this city and others who live in New York and elsewhere. For that reason I believe, as I stated previously, that an order calling for an expression of opinion from the Street Commission as to the cost of widening Ferdinand street might be all right as a separate order. It is similar to from 100 to 500 orders that are introduced every year in the City Council. But to attach that in the form of an amendment to the report of a committee is perhaps going to confuse the public mind as to the opinion, stand and position taken by the City Council on the proposition as a whole. There is no equivocation in the position of the City Council on this proposition. It rejects the entire proposition, but it states in the rejection that Arlington street is rejected without prejudice. That states absolutely the position of the committee. Now, then, what are the public to assume, should we adopt this amendment? They are to assume that we still seriously consider a proposition that is indefensible. Why, I could enumerate at least twenty streets that are arteries of travel in Boston for which there has been an agitation for from five to twenty years for widening and extension. Not one of those streets would represent an expenditure as great as would be necessary were Ferdinand street widened to a width of 70 feet. It is useless, and I sincerely trust that the members of this City Council will see the wisdom of reconsidering their action and will reject the amendment. If the councilor on my right or the councilor on the other side of the Chamber will present an order of that character at some later time in the meeting, but not as an amendment to the report of the committee, I should have no objection to voting for it as a separate proposition. But I do believe that it should be separate and distinct from this proposition, that there should be no confusion in the public mind as to the position taken by the City Council on the Ferdinand street proposition. Certainly there was no occasion for confusion in the minds of the Committee on Finance, when they considered the proposition to-day. They rejected almost unanimously, or at least more than a majority of the committee did, a proposition favoring an amendment that would lead the public to believe that we seriously considered the idea of widening Ferdinand street. If that was the position taken by the committee in executive session, I can see no valid reason why the committee should submit to such amendment as has been presented here at this time.

President COLLINS—If there is no objection at this time, the records offered by Coun. Curley, namely, the stenographic report of the public hearing by the Committee on Finance, December 12, on the extension of Arlington street and the widening of Ferdinand street, will be incorporated in the minutes of the City Council. Is there any objection?

Coun. SMITH—Mr. President, I should like to object to that. It has already been published once.

President COLLINS—Coun. Smith objects to having the report submitted and printed as a part of the minutes of the body.

Coun. HALE—Mr. President, I regret extremely that there has been any misunderstanding about this order. I think if the councilor on my left (Coun. Curley) really was clear as to the meaning of it he would not have opposed it. It is simply this. We have been offered as a City Council a proposition. We have been asked to spend a certain amount of money for a particular improvement that has been recommended by the Mayor and the Boston Chamber of Commerce. We don't know whether that improvement is going to cost $5,000 or $1,000,000, and all I am asking is to find out how much it is going to cost. I think if any of us were asked to buy something by particular friends or large bodies of friends of ours our first question would be, "How much is it?" That seems to be a wise, common sense proposition, to first find out how much it is going to cost. But the committee's report, without this amendment is not "How much is it going to cost?" but "We don't want it, whether it costs $5,000 or whether we will have to pay $1,000,000." I don't believe the City Council will stand for that kind of action.

Coun. CURLEY—Mr. President, it was with a desire not to inflict the reading of the report on the members of the Board that I wished to have it considered a part of the record. I dislike exceedingly to be compelled to read this entire report, but it certainly bears upon the subject and the amendment and, since I have the floor, unless Coun. Smith withdraws his objection, I shall be compelled to read these fifty-eight pages.

Coun. SMITH—Mr. President, I think it would be a great pleasure to hear the councilor read before he leaves this body. It is always a pleasure to hear him read.

Coun. CURLEY—And I assure the gentleman on the other side of the Chamber that it is a sincere pleasure for me to read a part of this report. It was my desire that the entire record of the hearing should be included in the minutes. I shall now simply read that part that is against Ferdinand street so that but one side may appear in the public records for the future consideration of the City Council.

Coun. CURLEY began with the statement of Arthur D. Hill, Esq., which appears with the rest of the report of the hearing referred to later in the Proceedings, and after he had read a while Coun. HALE said:

Mr. President, I would like to move that the balance of the report be extended on the records, with the unanimous consent of the Council.

President COLLINS—The same question is before the Council as before—namely, whether there is unanimous consent. If there is any objection on the part of any member of the Council the report cannot be included in the Proceedings. Is there any objection?

Coun. BALLANTYNE—Do I understand that this applies to what is to follow in the record?

President COLLINS—Is there any objection to what is to follow?

Coun. SMITH—I object, Mr. President.

President COLLINS—Mr. Smith objecting, what has not been read cannot be included in the minutes.

Coun. CURLEY proceeded with the reading, and Coun. HALE presently said:

Mr. President, I now ask unanimous consent of the Council that this be extended on the records.

President COLLINS—Is there objection?

Coun. SMITH—I object, Mr. President.

President COLLINS—Coun. Smith objects, and the same is excluded.

Coun. CURLEY proceeded with reading of the report, and Coun. HALE presently said:

Mr. President, I rise to a point of order. I don't think that any discussion of the merits of this question is in order. I would like to make that point of order. We are trying to find out what the cost of this improvement would be, and I don't see how any of this is relevant.

President COLLINS—Anything in those records

hearing upon Ferdinand street, as to the prospective cost, and anything further in regard to Ferdinand street which would lead the City Council to go into the question of ascertaining the cost, is germane to the question.

Coun. HALE—It does not seem to me, Mr. President, that all that the councilor has heen reading is germane.

President COLLINS—The Chair rules that part of it is and part of it is not.

Coun. HALE—Well, Mr. Chairman, I ohject to the next three pages.

President COLLINS—The Chair would have to understand what the next three pages are.

Coun. CURLEY continued reading from the report.

Coun. HALE—Mr. President, all this is irrelevant.

President COLLINS—The Chair rules that the greater part of it is.

Coun. CURLEY—Mr. President, I was ahout to say that I helieve I have the floor.

Coun. CURLEY continued reading, and presently Coun. SMITH said:

Mr. President, will the gentleman yield?

Coun. CURLEY—No. Mr. President, I refuse to yield.

Coun. CURLEY continued reading from the report.

Coun. SMITH—Mr. President, I simply wish to mention that in my opinion he is skipping parts of the report. (Laughter.)

President COLLINS—The Chair cannot take judicial notice of that, hecause he has not the manuscript hefore him. The Chair would state, however, that the question is on Ferdinand street and not on Arlington street.

Coun. CURLEY—Mr. President, I appreciate that.

Coun. CURLEY continued reading from the report, and presently said:

Then, Mr. President, come a numher of questions of Coun. Smith that are not germane. (Laughter.) (Continuing reading.)

Coun. SMITH—Mr. President, I move that all this record, including the parts omitted, he published as a part of the records of this meeting.

President COLLINS—There being no objection, the same are incorporated in the minutes of the Council. They will he considered offered and will he included in the minutes, with unanimous consent.

Coun. CURLEY—I thank you.

There heing no objection, the entire report of the hearing of Decemher 12 hy the Committee on Finance on the extension of Arlington street and the widening of Ferdinand street, was included in the minutes of this meeting, viz.:

—.

EXTENSION OF ARLINGTON STREET, ETC.

Boston, Decemher 12, 1911.

Hearing hefore the Finance Committee of the City Council, at two o'clock p. m., at the Hearing Room, City Hall, on the message and order suhmitted hy his Honor the Mayor, Octoher 30, 1911, relative to the extension of Arlington street and the widening of Ferdinand street.

Present, all the memhers of the committee, Chairman KENNY presiding.

Mr. John F. Dever officiated as clerk.

Chairman KENNY called to order, and Clerk Dever read the call for the meeting, as follows:

City of Boston.
Notice of Hearing.
Office of Clerk of Committees,
City Hall, Decemher 9, 1911.

The Finance Committee of the City Council will give a puhlic hearing on Tuesday, Decemher 12, at two o'clock p. m., at the Hearing Room, City Hall, on the message and order suhmitted hy his Honor the Mayor, Octoher 30, 1911, relative to the extension of Arlington street and the widening of Ferdinand street.

By order of the committee,
JOHN F. DEVER,
Clerk of Committees.

Chairman KENNY. In order that we may all fully understand the purpose of this meeting, I will ask the Clerk of Committees to read the communication from his Honor the Mayor to the City Council.

Clerk Dever read the communication referred to as follows:

City of Boston,
Office of the Mayor, Octoher 30, 1911.

To the City Council:

The final report of the Joint Board on Metropolitan Improvements states "that extension of Arlington street in the form of an ample highway from Castle square to the present Arlington street at Boylston street hy a widening of Ferdinand street and extension across the vacant land formerly occupied hy the Boston & Providence Railroad station, and through the single row of estates intervening hetween that land and Boylston street, would he a highway of metropolitan importance and concern."

The report from the Chamher of Commerce, copies of which now have heen sent to the memhers of your honorahle body, indicates the trend of opinion upon the subject of this improvement. I do not need to emphasize its importance in the development not only of the district adjoining Park square, hut of a wide zone extending in several directions from the site of the improvement itself.

A definite offer from the New York, New Haven & Hartford Railroad, through its representative, Mr. Laurence Minot, now makes it possihle to carry out the extension of this highway at a reasonahle cost. The accompanying letter from the secretary of the Street Laying-Out Department estimates the cost of extending Arlington street, from Boylston street to Providence street, at a width of seventy feet, which is the width of the street as laid out across the property of the trust, and of widening Ferdinand street from forty feet to fifty-eight feet from Columhus avenue to Castle square, to he $790,000. This does not include the reconstruction of the hridge on Ferdinand street, which in any event is helieved to he necessary, and the widening of it to a width in conformity with the increased width of the street, which will prohahly he ahout $60,000. As against this cost of $790,000 the New York, New Haven & Hartford Railroad will make an offset on the damages to its property on Boylston street to any amount that may he assessed up to $270,000, so that the initial outlay for the city will he $520,000. The only conditions are that the city shall take official action hefore January 1, 1912, and that the damages awarded for the estates at 314–318 Boylston street, purchased hy the railroad in order to carry out this extension, shall equal the amount originally paid for the estates, which was $381,550. The railroad also will give to the city the portion of Arlington street which extends across its own land. This offset of $270,000 is intended to cover all hetterments on the property of the railroad. It is estimated hy the secretary of the Street Laying-Out Department that later henefits which may he assessed on the estates along Boylston street within the prescrihed radius from Arlington street will amount to ahout $120,000.

That this street must be cut through sooner or later is a matter that does not admit of question. The only question is as to the terms which the city should make with the interested parties. The city has already given evidence of its willingness to cooperate hy the appropriations for changes in the grades of Berkeley and Providence streets and, in my opinion, the offer of the railroad is sufficiently liheral to warrant an immediate appropriation. That values will increase in the neighhorhood and hring hack in time, through additional taxes, the full amount laid out on the improvement is apparent to all who have studied the question, and the willingness of the railroad to contrihute so liherally, not only hy the laying out of streets hut by the acceptance upon terms that are extremely favorahle to the city of so large a sum in hetterment assessments, is the hest proof of the influence which this improvement will have in raising values in the neighhorhood.

The horrowing capacity of the city now is something over $900,000. To supplement this sum, which is large for this period of the year, there is a Reserve Fund amounting to more than six hundred thousand dollars ($600,000). I recommend, therefore, the passage of the accompanying loan order appropriating five hundred and twenty thousand dollars ($520,000) for the extension of Arlington street and the widening of Ferdinand street.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
In City Council, October 30, 1911.

Ordered, That the sum of five hundred and twenty thousand dollars ($520,000) be and hereby is appropriated, to be expended by the Board of Street Commissioners, for Arlington street extension and Ferdinand street widening, and that to meet this appropriation the City Treasurer be and hereby is authorized to issue bonds or certificates of the city to said amount.

—

City of Boston,
Street Laying-Out Department,
October 30, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—The Board of Street Commissioners has had an estimate made of the cost of extending Arlington street from Boylston street to Providence street, to meet the new street laid out and constructed by the New York, New Haven & Hartford Railroad, from Providence street to Columbus avenue, and also for the proposed widening of Ferdinand street from Columbus avenue to Castle square.

Exclusive of reconstructing the railroad bridge on Ferdinand street, which will be necessary, the estimate is $790,000.

The Board believes that substantially one-half the cost may be assessed back on the property benefited which lies within the assessable distance of 125 feet.

Very truly yours,
J. J. O'Callaghan, Secretary.

—

Chairman Kenny. The committee will first be glad to hear from those who favor these recommendations of the Mayor, asking the Council to appropriate this money. Each speaker will please come forward when he desires to be heard, and give his name and address to the stenographer, so that we may have a proper record.

Statement by Mr. Frank A. Bourne.

Mr. Bourne. Mr. Chairman and gentlemen, I want to speak in favor of this report of the Chamber of Commerce, and in order to do that I will read the report as submitted by the committee of the Chamber. The following is the report of the City Planning Committee, as accepted by the Board of Directors and forwarded to you as the expression of opinion of the Chamber of Commerce:

Extension of Arlington Street Through the Park Square Property.

To the Executive Committee and Board of Directors:

The Committee on City Planning has considered the matter of the proposed extension of Arlington street through the Park square property which had been reported upon by the Committee on City Planning nearly two years ago. The committee is informed that at least one building, owned by the holders of the Providence Railroad property, is about to be torn down.

As you know, that has already been torn down, and the space is left now on Boylston street.

We understand that it is the present plan of the holders of that property to rebuild at once upon the site thus made vacant, leaving merely an archway as a means of access from Boylston street to the land beyond Providence street.

We beg to recall to your attention the two previous reports upon the subject of extending Arlington street made by committees of the Chamber, copies of which are appended hereto. Having re-examined the question we concur in the opinion expressed in those reports that Arlington street ought to be extended to Columbus avenue, and we believe that in this case the city ought not by tardy action to let slip the opportunity which will be presented by the demolition of the building above referred to. It should be prepared to act when the lot is vacant and not wait until building recommences before considering what it wants to do.

Your committee believes that it would be so much in the interest of the holders of the Providence Railroad property to have Arlington street extended that they could well afford to share largely with the city in the cost of cutting that extension through the valuable Boylston street frontage. But there is no legal means of forcing them to share that cost beyond a very limited extent and if they take the attitude that a mere archway will satisfy them the city is in no position to assume this attitude to be a bluff. To do so and to stand pat on that assumption would be to risk the loss of an opportunity for a very important thoroughfare, which the city really needs, running from the Back Bay by way of Ferdinand street to the South End. As a matter of business the way for the city to reach satisfactory terms with the holders of the Park square property is to appropriate the money for condemning any or all property in the line of Arlington street through either to Providence street or to Columbus avenue, and be prepared to talk business. If satisfactory terms cannot be reached for opening a full width street, let the city wait until the one lot is vacated for the opening of the archway and condemn that.

Your committee recommends that the Chamber urge upon the Mayor and Council the importance of making such provision in advance in order that the opportunity for carrying through this great improvement will not slip away.

Respectfully submitted,
Frederick Law Olmsted, Chairman,
Frank A. Bourne,
Charles M. Cabot,
Frederick P. Fish,
Herbert J. Kellaway,
John Nolen,
Henry Sterling,
Robert A. Woods,
Committee on City Planning.
Robert P. Bellows,
Walter B. Binnian,
Herbert S. Drew,
Associate Members.

Messrs. Fish, Nolen and Sterling were absent from the city and did not have an opportunity to pass upon the report.

October 6, 1911.

I would now like to call your attention to the two reports dated December 21, 1909, two years ago, showing that the opinion of the Chamber has not changed—the idea being that if the opinion of the Chamber has not changed in two years it will not change in twenty. Shall I read the whole of this? There are four pages, and it will take about six minutes.

Chairman Kenny. You had better read it all.

Mr. Bourne. This is dated December 21, 1909.

Report of Committee on City Planning, Arlington Street Extension.

December 21, 1909.

To the Board of Directors,
Boston Chamber of Commerce:

Gentlemen,—The Committee on City Planning reports on the proposed extension of Arlington street from Boylston street to Columbus avenue, and the widening of Ferdinand street to Castle square, now before the Street Commissioners, as follows:

This extension is a desirable improvement and should be made, provided the plan may be executed upon terms that will not throw an excessive burden of expense upon the city.

The property formerly occupied by the Providence Railroad Company is a hindrance to communication between all that part of the city lying north of Boylston street and the district southwest of Columbus avenue. Now that the use of this property for railroad purposes has permanently ceased the city plan should be improved by the creation of such thoroughfares as would naturally have been laid out if no such hindrance had ever existed.

The proposed extension of Arlington street is the first and most important step. It need not follow exactly the lines of Arlington street. On the east Arlington street has no buildings, merely the fence of the Public Garden as a boundary. On the west side the street is divided into numerous blocks separated from one another by Marlbororough street, Commonwealth avenue, Newbury street and four public alleyways. The buildings present no continuous line, but are set back at various distances from the curb. If, therefore, the city could make a considerable saving of cost by leaving intact the new building on Boylston street, projecting slightly beyond the theoretical side line of Arlington street, which is occupied in part by Bryant & Stratton School, it is not important on the score of appearances that this building should be removed. The offset in alignment of curbs would be so small in proportion to the width of the two streets that the deflection of Arlington street traffic in crossing Boylston street would be practically unobjectionable. It

might, however, be practicable to build a sidewalk arcade under the easterly portion of the building, so as to bring the extended street into line with Arlington street as at present laid out. It would be an unfortunate result of the improvement and would postpone for some time the full realization for all concerned if the Boylston street properties left on either side of it should stand for many years with unsightly blank side walls or temporary partitions exposed to the new street, as has sometimes occurred; and the securing of agreements to improve the facades on the new streets promptly in a suitable manner may properly be made the subject of negotiation before determining the exact lines of entrance into Boylston street.

The creation of this thoroughfare will involve the sacrifice of no high priced real estate except upon Boylston street and will decidedly enhance values from Boylston street to Castle square. Therefore a larger share of the total cost for property damages and for construction should in all fairness be contributed by the real estate affected than is usual in street openings and street widenings in the older part of the city. The experience of the city in collecting betterment assessments, however, has been so unsatisfactory that it is very desirable to secure as far as possible definite agreements for the settlement of the prospective damages and benefits before fixing the lines and proceeding to condemnation.

In the near future the increased revenue to be received by the city from new buildings and increased land values should more than equal the interest and sinking fund requirements on the net cost to the city of opening the street and the maintenance cost thereof.

This report, prepared after investigation by a subcommittee, consisting of Frederick Law Olmsted, J. Randolph Coolidge, Jr., and Henry Sterling, has been approved by a majority of the Committee on City Planning, Mr. Winsor being undecided in his opinion as to the expediency of the improvement and Mr. Adams being absent from the city.

Respectfully submitted,
FREDERICK LAW OLMSTED, Chairman.

That was the report of 1909. Then there is the report giving the estimates of cost, and I will read that, if you would like to have me do so. It is very much along the lines of the Mayor's letter, but may give another point of view.

Chairman KENNY. Yes.

Mr. BOURNE. (Reading.)

Report on Arlington Street Extension.
(Giving Estimates of Cost and Betterments.)

The undersigned committee have considered the probable cost of the extension of Arlington street from Boylston street to Providence street and the benefits which might properly be assessed therefor to neighboring property, and we submit the following conclusions:

We assume that if the city should make the extension it would be for a width of but about 69 feet, taking in the estates numbered 314, 318 and 320 Boylston street, having a total assessed area of 8,625 square feet and an assessed valuation of $400,000. We think it probable that the cost of these properties would be nearly or quite $75 a square foot, or say $645,000.

The grade of Providence street is about 5½ feet below that of Boylston street and Columbus avenue, so that to carry Arlington street through on substantially the same level would require the filling of Providence street, involving a considerable amount of grade damages to the properties fronting on Providence street, most of which also front on Boylston street. These damages, plus the cost of filling and resurfacing Providence street and the construction of the extension of Arlington street, we think would probably be not less than $150,000 and very likely more.

We therefore estimate the total cost of the extension at $800,000.

We understand that under the law one-half the cost may be assessed in betterments upon property receiving a benefit from the laying out and construction of the new street and that such benefits may be assessed only on property some portion of which lies within 125 feet of the improvement.

We think that estates fronting on Boylston and Providence streets within this limit might be assessed to the amount of $150,000.

In order to make up the total of $400,000, which may be assessed for betterments, it will be necessary to find other property receiving a special benefit from this construction to the amount of $250,000. We understand that the trustees of the Park square land propose to construct a street from Providence street to Columbus avenue in continuation of the line of Arlington street as the first step in opening up the large tract of Park square land development. This street will have frontages on both sides of about 760 feet. Lots fronting on this street having a depth of 100 feet would, therefore, contain 76,000 square feet, and if the whole remaining $250,000 should be assessed upon this portion of the land it would be less than $3.50 per square foot. Other land, however, owned by the trust which would be reached from Boylston street through Arlington street would also receive a benefit, so that we think that it would be entirely proper to assess the entire remaining $250,000 upon the property of the Park Square Land Trust.

Upon another question which was not submitted to us we desire, however, to express our opinion because it is involved in the discussion and decision of this problem, namely, what benefit will the city receive for the expenditure of the $400,000 which the improvement will cost in excess of the amount which may be received for betterments? As we have seen, there will be taken from the city tax list property now paying taxes on a valuation of $400,000, yielding taxes of $6,600. If the city borrows the $400,000 to be invested in the improvement at an annual charge of 3¼ per cent this will add $13,000, so that the annual cost to the city will be about $20,000. In order to meet this cost it will be necessary to find additional property which may be taxed to the amount of $1,212,000. The property of the Park Square Trust bounded by Boylston and Providence streets and Columbus avenue is assessed at $3,180,000. After taking out the probable amount required for streets there will remain not less than 350,000 square feet. If the entire necessary increase were added to the present assessed value of this land it would amount to less than $3.50 per square foot of the salable area. The improvement of the land, however, with such buildings as are likely to be erected in that locality would involve an investment so much larger than the requisite amount that the city, even without increasing the assessed value of the land would undoubtedly find a sufficient addition to its income to justify the expenditure.

Furthermore, the opening of a new crosstown thoroughfare connecting the South End with the Public Garden and the Charles River Basin by a more direct route than any which now exists would in itself be of sufficient public importance to justify a considerable expenditure.

Respectfully submitted,

LESLIE C. WEAD.
JOSEPH BALCH.
JAMES D. COLT.

March 7, 1910.

That is all I am authorized to say for the Chamber of Commerce. I will only add a word, that I know the locality very well myself. I spent some time last summer in seeing street widenings made in a similar way in Europe, and I found that it was the regular thing to make street widenings ten times as great and as important as this. Of course, in our country we have every individual owner and voter to appeal to, while abroad a good many of the street widenings and improvements of that kind are made by a smaller number of men. It is easier, perhaps, to get at them. But I think, on the whole, when the public, the citizens of Boston and the Mayor find out the importance of a street widening here it is as easily carried through in Boston as in any city I saw abroad.

Q. (By Coun. BUCKLEY.) I listened very carefully to that estimate which you read, Mr. Bourne, but I noticed that you didn't say anything about what it would absolutely cost the city for making this improvement, if it did so. That is what I want to find out—the absolute cost to the city over and above what it will receive. Did your committee consider that and cover it? A. That, I think, is covered, also the Mayor's estimate. The estimate I gave you was two years ago, and the estimate now given, I think, is $790,000. That is from a letter of the Street Laying-Out Department dated the 30th of October last.

Q. Your committee did not consider it at all? A. Not recently, except in a general way. They consulted two or three real estate men, and the changes were not sufficient for them to change their opinion as to the advisability of the work.

The actual estimate here seemed to answer the purpose, so that that was not gone into again.

Q. (By Coun. COLLINS.) Mr. Bourne, I would like to have this cleared up, whether or not after the committee reported to the Chamber of Commerce these various propositions the Chamber of Commerce in turn took any action as a body? A. Yes. I think if I explain the way in which that is carried out and how carefully it is studied it will throw some light on the matter.

Q. I would like to have that done. A. Yes. This matter was studied several years ago, and there were two committees, one to study the matter in the first place. They went into the matter very carefully, considering the advisability of the project. The second committee was a committee of real estate men that went into the matter very carefully from that point of view Those reports were both passed on and considered carefully by the Board of Directors of the Chamber of Commerce at that time. Recently, when the question came up about three months ago, it was taken up by the Chamber of Commerce, the Board of Directors, referred to the Committee on City Planning, and considered carefully by a subcommittee, who reported back to the committee, and was considered in full committee and discussed to a great extent. Then it was gone into by the Board of Directors and gone over again before it was voted upon and sent to you in this form. So it has been through a good many hands, and represents the general opinion of the whole Chamber of Commerce.

Q. So really it is the report of the whole Chamber of Commerce? A. It is exactly that.

Q. (By Coun. SMITH.) Mr. Bourne, are you reporting on the street as a whole, from Castle square to Boylston street? A. From Castle square through Ferdinand street, and from Ferdinand street to Boylston street.

Q. You haven't made any division of the project into parts? A. Not in this report, no.

Q. The Chamber hasn't taken any action on the street except as a continuous street from Castle square to Boylston street? A. The report, I think, is clear on that, that it takes it as a continuous street. We did not consider it specifically in any one part.

Q. So that the estimates are all founded on that distance, too? A. Yes, the total distance.

Q. And you said that if it resulted in raising the value of the Park square land $3.50 a foot it would pay the city to do it? A. Yes, it seemed to me the expense would be away below the return it would be to the city. That is, the additional value is almost self evident, it is so much more than that $3.50 a foot.

Q. (By Coun. BUCKLEY.) One more question: I would like to ask if your committee considered the fact that Berkeley street runs right through that territory, very close to Arlington street? A. Yes.

Q. And just a little farther down is Dartmouth street, so that you have two streets running the full length. Did your committee consider that? A. Yes, that was brought up in full committee.

Q. With that in view did the committee believe that Arlington street really should be extended at this time, when there are so many other very much needed improvements that should be made? A. I am very glad that you brought up the question, because it brings up a thing I had in mind before coming here, and something which was referred to by a fellow member of the committee. That block is the longest block in Boston — the block through which they are thinking of cutting Arlington street. I think that practically answers the question. It settled the question in our committee, and I think it is a very fair answer to your question. That block is the longest block in Boston.

Q. On Boylston street? A. I don't know of any block anywhere in Boston that is any longer. It is the longest one we could find in looking over the map.

Q. (By Coun. ATTRIDGE.) Your committee made its report in regard to the extension of Arlington street to Columbus avenue, and not in reference to the widening of Ferdinand street from Columbus avenue to Park square. Is that so? A. No. I think that is not quite so.

Q. Well, this report is really a report on the extension of Arlington street? A. Yes.

Q. And the cost of the extension from Boylston street to Columbus avenue. Does this also cover the cost of widening Ferdinand street? A. Yes, I understand that it covers the whole cost, all the way through to Castle square, including the widening of Ferdinand street—referring to this last page of the report. You will find that in detail on the very last page.

Chairman KENNY. Any further questions? (No response.) Mr. Bourne is excused. The committee will be glad to hear anybody else present in favor of this project. Mr. Minot, do you desire to be heard further on this matter? You have already addressed the committee upon it.

STATEMENT BY MR. LAURENCE MINOT.

Mr. MINOT. I think I have already given my views pretty fully, unless the committee has some further questions to ask.

Chairman KENNY. The clerk of the committee reminds me that when you were here before and made your statement there was no stenographer present, and that your remarks were not taken down. Perhaps you might like to say something now as a matter of record and have it go on the record. Of course, that is a matter for you yourself to determine, and is something that is not required at all.

Coun. ATTRIDGE. Might I say that it was a matter of courtesy on the part of the committee that evening that they allowed Mr. Minot and Mr. Hill to appear and make the statements?

Chairman KENNY. Of course, we heard you then, but if you would prefer to have something on the record we shall be glad to give you this opportunity.

Mr. MINOT. I think I covered our position pretty fully in that letter to the Mayor, Mr. Chairman.

Q. (By Coun. BUCKLEY.) Mr. Chairman, I would like to ask Mr. Minot a question. There is one thing I would like to have settled, and that is, just how many buildings on Boylston street which might be affected by this extension of Arlington street does the Park Square Trust own, if it owns any? A. It owns the two buildings, 314–318 Boylston street, both of which would be taken.

Q. How much are those assessed for, Mr. Minot? A. I am afraid I cannot answer that question, Mr. Buckley. It can be easily ascertained, however.

Q. To be given to the city at the assessed valuation? A. No, our proposition was to give them to the city at what we paid for them.

Q. Which is above the assessed valuation? A. Considerably above the assessed value.

Q. You don't recall just how much above it is? A. I don't recall what the assessment is for.

Q. All right, sir.

Chairman KENNY. Is there any other person present who desires to be heard in favor of this project? (No response.) If so, be will please come forward and give his name to the stenographer. If there is no other person present who desires to be heard in favor, the committee will be glad to hear those who are opposed.

STATEMENT BY ARTHUR D. HILL, ESQ.

Mr. HILL. May it please the Council, my name is Arthur D. Hill, and I am a member of the bar, and I appear in opposition to the widening of Ferdinand street, as representing the Armory Garage, a Massachusetts corporation, and the tenant of a piece of property that would be greatly injured in value by the proposed widening, if it were to take place. The committee has already as a matter of courtesy, as stated by Mr. Attridge, heard me informally, and for that reason I shall be very brief and shall speak only for the purpose of getting on the record our opposition and the reasons on which it is based.

What leads us to come here is the injury to our client's property, and we should not be here but for their personal interest, presumably. We believe, however, that that should not affect the weight of the arguments which we are able to advance against the proposed scheme, which we believe sufficient to show that it is not for the public interest that it should be carried out at the present time.

In what I say I want to make it clear that I am not opposing in any way the extension of Arlington street through to Columbus avenue; that, on the contrary, I am inclined to believe that that is a proposition against which no arguments can be advanced that are not outweighed by the manifest advantages of the scheme.

There are two things, gentlemen, to be considered in every public improvement of this

character. Every street widening has two objects. One is to improve the adjacent property and perhaps open up property through which the widening is to go, and thereby increase its utility and its assessed value; the other is, to afford additional facilities for traffic. So far as opening up that large triangle of land which lies immediately to the south of Boylston street and which would be reached by the proposed extension of Arlington street is concerned, I don't see how anyone who looks at the map or who is at all familiar with the locality can deny that the proposed extension, as suggested by his Honor the Mayor and as advocated by the Chamber of Commerce, will be of very great advantage. You have a large piece of land there which is very well adapted for use for business purposes, and which at the present time is substantially impossible to get at. It is only natural that the owners of that land should want to have it opened up and should be willing to do something in order to have it opened up, and it is only right and proper that the authorities of the city should pay some attention to their wishes and should also have in mind the very great advantage that will result to the community as a whole from having that land—which is now practically useless, which is of just as little value as if it were not there at all—changed into business blocks, full of thriving businesses.

As to that there can be no question. But when it comes to the other branch of the class of questions that come up in every public improvement,—the accommodation of additional traffic,—there you come to another matter. I do not believe that anyone familiar with the locality and knowing the conditions will anticipate that through that proposed extension, or from the region lying beyond it to the south, there is going to be any considerable volume of traffic. There is already one wide thoroughfare in the immediate vicinity—I am speaking of Berkeley street—and Berkeley street practically has no traffic on it at all that is in any way commensurate with its width. There is going to be another street lying to the east, Pleasant street, which will be greatly widened, under the scheme now before this body, or which was acted upon by this body a short time ago, which has been approved. Those two arteries will for years accommodate all the traffic that there is going to be. Our contention is that, while the Arlington street proposition is an admirable thing to open up the land lying south of Boylston street and owned by the New York, New Haven & Hartford Railroad, there is no point in carrying it farther and widening Ferdinand street, for the sake of making a widened thoroughfare through Castle square and accommodating traffic which in fact has no existence and which there is no real reason to suppose will have any existence within any time that we can foresee.

The point of a great big wide road is to lead from somewhere to somewhere. Now, the only place that this road is going to lead to is the Public Garden and the Back Bay and the Charles River Embankment. There is not and is not likely to be any traffic coming through there that cannot be accommodated through Ferdinand street at its present width. There certainly is no such traffic at the present time. I shall produce witnesses here who will tell you that the traffic to-day through Ferdinand street is utterly inconsiderable, that there is no pressure from the South End of people seeking to come up there and get through there to the Back Bay district, and that there is no reason to anticipate that there will be any such traffic in the very near future. This improvement of Arlington street, whatever its merits, is not going to create traffic from the South End to the Back Bay. There is every reason to suppose that there is just as much, or substantially just as much, traffic from the South End to the Back Bay now as there will be after you cut through Arlington street. If people wanted to get between those two points they would be crowding up Ferdinand street now and getting to the Back Bay either by going down Columbus avenue or going over Berkeley street. The fact that there is no substantial traffic along that route, that there is no such indication, shows there really is no need of widening Ferdinand street as a traffic matter. There has not been a single person, from the beginning to the end of the controversy in regard to this proposition, who has come here and said that he or any class of which he was a member were hampered in getting from the South End to the Back Bay at the present time. There is no one here, there has been no one here, who has come forward and said that there was going to be in the near future any large extension of the need of accommodations for traffic between those two points. As the Back Bay stands to-day there certainly is no demand of that character. I do not want to underrate the charms of the Public Garden. I have been familiar with it from my earliest years. I have fallen into the pond; I have played on the banks, and my children to-day are repeating those experiences. But it is not the most important, or anything like the most important, part of our park system, and there is no demand by the people of this city in any enormous number to get over there from other sections. I do not want to underrate the possible future of the Back Bay as a retail district. There are a great many of my friends who cherish the illusion that in their old age they are going to sell their buildings for business blocks, and retire and live in comfort on the proceeds because that development is going to be very rapid. I should hate to undermine those illusions, but I believe the day when the Back Bay will be a great retail shopping district is far off, and that its existence is only hypothetical. It is not worth while for the city to spend money on a possibility of that kind. The amount that they can possibly save by doing it now over doing it when the necessity arises is not worth the chance that the necessity never will arise.

Really, the advocacy of this measure comes from two sources: In the first place, from the New York, New Haven & Hartford Railroad, represented by Mr. Minot, who are naturally anxious to have their property developed, and properly anxious to have it developed, and who naturally, having the scheme as a whole in their mind, want to get as much as they can for what they are going to give. They think they would gain something by having Ferdinand street widened on the south, as well as by having Arlington street cut through on the north. Undoubtedly it would be of some slight advantage to them to have Ferdinand street widened, although much less, it seems to me, than they appear to think. But, from that point of view, I don't think it is unfair to say that proprietors of land who are already,—through the widening of Pleasant street, through the change of grade of Providence and Berkeley streets, through the changes and improvements which are projected in St. James avenue and Stuart street, and through the extension of Arlington street—going to have spent for their benefit a sum of over $3,000,000 by the city, are perhaps getting as much as they are fairly entitled to at the present time. Really it comes down to the question of whether it is worth spending the money for. It is going to cost, on the most conservative estimate, $300,000 to widen Ferdinand street from Columbus avenue to Castle square. As a matter of fact, it will be found, unless I am very much mistaken, that it will cost considerably more than that. For instance, the injury to my client's property had never been fully brought out until the informal hearing at which I stated it to your body the other evening. It is fair to presume that the estimates for other damages which are made by the various gentlemen who have considered this improvement will also be found somewhat short of the reality. That is a very common experience. A body of architects and public-spirited gentlemen, sitting down with that light-hearted feeling that all of us have when we are dealing with large public questions and improvements that do not disturb our own but merely other people's property, drawing lines with red ink and a ruler across the city where they think broad avenues will look well, never really count the cost accurately. To take an example from common experience at this time of the year, it is like the lady of the family counting up what the Christmas presents are going to cost. They always come in her mind to considerable less than the grand total that has to be paid when the bills come in. I think it a safe prediction for anyone to make that the betterments will be found less and more difficult of collection, and the damages greater, than are estimated in any of these plans, and I think it is safe to say that by the time the city gets out of the widening it will spend a great deal nearer $400,000 than $300,000.

Chairman KENNY. You are now referring to the proposed Ferdinand street widening?

Mr. HILL. I am not referring to anything in the sense of objecting, except the widening of Ferdinand street from Columbus avenue south to Castle square. We concede that the Arlington

street extension ought to be made, and made at once, because it is important to the city as well as to the owners of open land lying behind Boylston street, and it is not any the less important because the owner of that property happens to be the New York, New Haven & Hartford Railroad. It would he just the same thing whether it belonged to them or to Mr. Minot personally, or to me or any one else. That ought to he done. But that does not involve necessarily, or as a matter of common sense, widening Ferdinand street from Columbus avenue to Castle square, merely because Ferdinand street happens to form a continuous street with Arlington street. That is a policy that we have outgrown, gentlemen. This City of Boston is full of great, wide streets that were laid out to an inordinate length merely because they happened to he in a straight line, and when you got started widening a street there seemed to he no particular reason for not going on a little farther. All through the city you will find avenues of that kind that are altogether out of proportion to any traffic that they are carrying or are likely to carry in the near future, and yet they have cost the city thousands and hundreds of thousands of dollars. They represent in many cases work which, if we had it to consider over again, we would never think of doing. It has not heen the result of experience that widening a street *per se* hrought traffic, and it has heen the experience that, as a matter of saving, in the long run it paid hetter to take one step at a time, to widen where the widening was needed, and to allow proposed widenings that were not needed to await the chances of the future. In the last three years there have heen in this city over sixty-three petitions for street widenings,—among others Avery street, Exchange street, Hamilton place, Bowdoin street, Bowker street. All those that I have stated have heen turned down. Some of the petitions were not only for widenings, but for extensions, and all of those are at least as desirahle as the present proposed widening. A hundred other cases could be picked out in the city where you could undoubtedly make a wider street, and a wider street is always in some ways an advantage over a very narrow one. But we cannot afford to go into the street widening husiness to an unlimited degree. In this case you will not get value for your money; you will not get anything like the return that you ought to get.

So far as concerns the circumstances of my particular client, I am going to leave Mr. Beck, the manager of the corporation, to speak for the corporation. You have already heard the facts stated once. I merely want to get them very briefly on the record. The facts arc very simple, and he can state them better than I can. I only want to emphasize this. The hardship on my client, which will be very great, is no reason why a public improvement should not go through if a puhlic improvement is required; but it is a circumstance which we think you should consider in connection with all the other circumstances of the case, in connection with the remote and speculative chance of any real benefit and with the fact that there is a complete ahsence of any puhlic demand for this change as a solid argument against it.

Q. (By Coun. BUCKLEY.) In your argument you said you believed in the extension of Arlington street, and then a sentence or two later you said that Berkeley street has no traffic commensurate with its width. You told about Pleasant street, and you also said that in the near future the fact that Arlington street will be extended, or Ferdinand street widened, will not really assure us that there will be any intercourse or traffic to the Public Garden or those places from other parts of the city. If that is the case, and if Berkeley street is able to accommodate all the traffic from the South End of the city to the Back Bay, having in mind also the fact that we have Dartmouth street a little farther down, is there really any strong argument for the extension of Arlington street at the presnt time, in your opinion? A. Mr. Buckley, I think there is. I don't think it is important how we do this, but I do think there is a sufficient necessity, by reason of the large quantity of unimproved land which lies immediately to the south of Boylston street, for opening up that territory. I think there is no way at the present time of getting at that land. I think that land could be used and would hring a return in increased assessed values, assuming that a fair trade could be made with the railroad so that the expense would not he too great, so that we would be justified in cutting through that block. I don't think it makes much difference how wide the street is, but I do think there ought to be a street through there, and it is so short a distance that I don't think there is any particular objection to having it the full width that is desired hy the property owners. It is not going to make much difference in the expense. Is that the only question?

Coun. BUCKLEY. Yes.

STATEMENT BY MR. JOHN BECK.

Q. (By Mr. HILL.) What is your name and your address? A. John Beck, 28 State street.

Q. (By Chairman KENNY.) Are you ahout to offer the same explanation now that you did on a former occasion? A. Practically. I think the committee has already heard it.

Chairman KENNY. Well, unless some member desires to ask Mr. Beck a question, I think the committee understands the matter. You may desire, however, to make a statement for the record.

Mr. HILL. Yes, you had better make a brief statement of the situation.

Mr. BECK. Mr. Chairman and gentlemen, as a citizen and taxpayer, one who is interested in the growth of the city and who is doing much to develop the land in the vicinity of Park square, I am opposed to the widening of Ferdinand street as a useless outlay of money. Mr. Minot recently stated to this committee that if Ferdinand street were widened it would he an incentive to erect new buildings on the street; and yet there are few buildings in the city to-day that are hetter than the Ahraham Lincoln School and the Armory Garage. As treasurer of the Armory Garage I confess a certain selfish motive in opposing this widening. I have earnestly striven to huild up a large, prosperous business, and if the widening of this street takes place my efforts will have been futile and the business will he ruined. The Armory Garage is to-day the hest and most up-to-date building in the city that is centrally located, admirably meets the needs of the automobile operators and owners, and in justice to them this building should not be destroyed. Arlington street should be extended to Columbus avenue, even although the land that is taken by the city for this improvement is owned and controlled hy the persons who are the advocates of this extension and it means directly the development of the land now vacant in Park square. But if you go heyond Columbus avenue, voting to widen Ferdinand street, you authorize an expenditure of puhlic money for which there is absolutely no defence. Now, I shall he glad to answer any questions.

Q. (By Coun. ATTRIDGE.) You might state for the benefit of the citizens present the cost of your building. A. The huilding and the land, which naturally should enter into the cost, represent $200,000.

Q. (By Chairman KENNY.) That is, your building, the Armory Garage? A. Yes, sir.

Q. (By Coun. BUCKLEY.) I would like to ask Mr. Beck, if this street were widened, just how much space it would take away from this huilding? A. The building has a frontage of 155 feet on Ferdinand street, and the proposed widening would take 18 feet off the total frontage. That can easily be figured, 155 times 18. That would take approximately one-third of the total availahle capacity of this garage. You all know that any business has a certain fixed expense, and the profit lies in the amount of business you can get ahove the necessary amount to take care of that fixed expense. If the city widens Ferdinand street we will lose one-third of our capacity without materially being ahle to decrease our fixed expenses. Therefore, it will be ahsolutely impossihle to carry on the business at a profit or even in a way that will pay the fixed expenses.

Q. (By Coun. COLLINS.) Have you figured out, Mr. Beck, what is your proportion in comparison with the other land that could be taken on that side street, in the event of the street being widened? A. You mean, how much of the street our building occupies?

Q. Yes. A. Well, we have a frontage of 155 feet, and the whole street, including the schoolhouse, the gasometer huilding, is hardly more than 600 feet. There is very little land left on the street that can be developed. There is the First Corps of Cadets Armory, a building that cost one-half a million dollars.

Q. (By Chairman KENNY.) That is on the opposite side from you? A. Yes, but I am now

talking of the development of the street. There is the Abraham Lincoln School, a building that represents in cost about half a million dollars, I suppose, and there is the Armory Garage, a building that represents a cost of $80,000 above the land. These three buildings comprise nearly one-half the total frontage of Ferdinand street.

Q. (By Coun. COLLINS.) What proportion does your assessment bear to the assessment on the street? A. Well, our addition was not assessed, not being completed the first of last April, but, in proportion to the cost of the building and the land, it represents—well, of course, the First Corps of Cadets Armory is also on Columbus avenue, the gasometer building is also on Columbus avenue, so that the assessment that would directly bear on Ferdinand street is relatively small. I should think that the value of the garage, as compared with the direct assessments on Ferdinand street, would be about one-fifth, perhaps less. Perhaps that is not accurate, but it is very near.

Q. (By Mr. HILL.) I don't understand that you are trying to give accurate figures, but approximate figures? A. Yes, approximate figures.

Q. (By Coun. COLLINS.) At the last meeting I asked questions along that line and I didn't know but what you might have figured it out. A. No, I haven't.

Chairman KENNY. Is there any other person who desires to be heard in opposition to this project?

Coun. SMITH. I understood there were going to be witnesses called to testify to the amount of traffic on Ferdinand street. Are there such witnesses present at this time?

Mr. HILL. Yes, I think so. I meant to ask Mr. Beck that question, and shall be glad to do so now.

Q. (By Mr. HILL.) Mr. Beck, what is the present traffic on Ferdinand street? A. The present traffic on Ferdinand street, of passengers and vehicles, averages about thirty an hour.

STATEMENT BY MR. THOMAS B. MCKEAGNEY.

Mr. HILL. Mr. Chairman, there are four or five gentlemen who have notified me that they would like to be heard here. I will call Mr. McKeagney, who was a former member of the city government and is doubtless known to all of you present. You will give your name.

Mr. MCKEAGNEY. Thomas B. McKeagney.

Q. Say what you want to. A. Well, gentlemen, I have not much to say in regard to this, anything more than that I am interested in a little piece of property which is at the opening, pretty near the opening of Ferdinand street, and I feel that it would be an expense to the City of Boston to widen Ferdinand street at this time, and that it would be had for our children going to that school, leaving the school entirely on the street. Therefore, I am opposed to it. That is why I have come here.

Q. Mr. McKeagney, how much traffic is there through Ferdinand street now? A. There is very little. I have been there a great deal; in fact, I go through there considerably, and I never saw much traffic. You will see four or five teams, something like that, at times.

Q. Is there anything to indicate that at the present time the street is not amply sufficient to take care of any traffic that goes through it? A. I think it is amply sufficient to take care of all traffic at the present time.

Q. (By Coun. SMITH.) I would ask Mr. McKeagney if he knows about the traffic that goes through Church street? A. I should judge that no more traffic goes through Church street than the other street.

Coun. SMITH. Thank you.

STATEMENT BY MR. WILLIAM C. BATES.

Q. (By Mr. HILL.) What is your name? A. William C. Bates.

Q. And where do you live, Mr. Bates? A. 65 Astor street, Boston.

Q. And what is your business? A. Automobile repairing and supplies.

Q. Have you a place of business on Ferdinand street? A. Yes, sir.

Q. Do you own it or simply lease it? A. I lease it.

Q. Will you state to the committee the extent of the traffic at the present time in Ferdinand street? A. Well, gentlemen, I cannot say in numbers just exactly the number of teams that pass there in a given time. I can only say that as long as I have been there I have never seen the traffic in any way congested. As a matter of fact, apart from an occasional grocery wagon, coal team, something like that, there is practically very little traffic.

Q. Have you ever observed any tendency in the traffic from the South End to the Back Bay to become congested in the present arteries? A. No, sir, not in any of them.

Q. Do you know of any public demand in the locality for the widening of Ferdinand street? A. I cannot see why it should be.

Q. Have you ever heard of any? A. No, sir.

Q. (By Coun. BUCKLEY.) I would like to ask the gentleman if Ferdinand street were widened and Arlington street extended, if in his opinion it might not offer a more direct route to the Back Bay and cause the traffic to increase? A. I think not. I think the present condition of traffic is a pretty fair indication of what it might be then.

Mr. HILL. I don't think, Mr. Buckley, that you make a man go to a place merely by giving him a wide street to walk along.

Q. (By Coun. SMITH.) Are you familiar with Church street? A. Yes, sir.

Q. Will you testify to the traffic there? A. Only in the same manner that I did in regard to Ferdinand street. It is inconsiderable.

Q. About the same? A. About the same; yes.

STATEMENT BY MR. CHARLES A. WILLIAMS.

Mr. WILLIAMS. Mr. Chairman and gentlemen, I merely wish to be recorded here in opposition to the widening of Ferdinand street, that part of the scheme. I represent the trustees of the John C. Haynes estate, as you know, who are the owners of the estate on the corner of Ferdinand and Winchester streets, on which is this Armory Garage. We have been convinced by our tenants that if this widening takes place, reducing the depth of our lot from about 71 or 72 feet to 56 feet or thereabouts, they cannot go on and utilize it for their business, and, of course, if they cannot, nobody can for that business, and it will be a very great damage.

With regard to the extension of Arlington street across the Park square property so far as Columbus avenue, in my judgment the only material gain to the city from that extension will come from the increase in taxable property. I think that is a justifiable, perfectly justifiable ground for making that extension as far as Columbus avenue, provided the railroad makes a proper contribution. I do not believe, however, that there is any need, any great need of a new thoroughfare there for public travel, although I believe if the extension is made that the new street will be used to a greater or less extent. But, as I told my clients when it was explained to me that this widening of Ferdinand street was going to cost $300,000,— and my brother Hill says it will surely cost more,— I said to them that my feeling about coming here to appear for them was entirely swallowed up in my feeling as a taxpayer of the City of Boston, because it seemed to me an utterly unwarrantable thing to spend even $300,000 on the widening of Ferdinand street. I don't believe there is the slightest public advantage to be got from it. If the street extended through in a direct line to South Boston it might be different; but if Arlington street is extended across the Park square property to Columbus avenue, any travel that will use that street by turning to the right and going a very short distance to Berkeley street can reach the Dover Street Bridge and get somewhere, and by going from Columbus avenue to Castle square they can get anywhere. I don't think I need take any further time of the committee.

Q. (By Coun. COLLINS.) Then your position is the same as that of Mr. Hill? A. Exactly the same as Mr. Hill's.

Q. (By Coun. BUCKLEY.) I am to understand that Mr. Williams does not approve the extension of Arlington street when he says that Berkeley street leads somewhere and that Arlington street would not, even if extended to Columbus avenue? A. No, I did not quite say that. I will try to make it clear. I do think the extension of Arlington street across the Park square property to Columbus avenue would be a justifiable thing to do, because of the making of taxable property, provided the railroad pays its share. What its share shall be I have not studied into sufficiently to say; but I do think if the railroad pays a proper share for that extension, makes a proper contribution, the city would be justified in making it.

Q. You are a man of large affairs, Mr. Williams. In your opinion, don't you think if this improve-

ment were made, the railroad ought to agree to pay its proportionate share, whatever might hc agreed upon, before we decide that the thing ought to go through? Don't you think that is a fair proposition? A. I think they ought to pay it or that it ought to he secured in such a way that you will get it. I should suppose that is ordinary husiness. I should certainly say that.

Q. (By Coun. Smith.) Of course, as I understand it, Mr. Williams, this street will be extended whether this City Council votes it or not? That is, the Park square trustees will put an arcade through there? A. You mean a covered arcade?

Q. A covered arcade. Now, do you think that would raise the assessed values on the Park square land? A. I don't know that I quite understand. On Boylston street, you mean?

Q. You have stated that if Arlington street were extended it would raise the assessed value of the Park square vacant land? A. Yes, sir.

Q. Now, if connection is made there in the form of an arcade, which is something that the trustees now propose doing, regardless of the action of the city, will that raise the assessed values there? A. Of the Park square land or Boylston street? It isn't clear to my mind just what you mean. I don't know whether you mean an arcade merely at Boylston street or for the whole land.

Mr. Minot. I would like to explain that. I think it may save discussion of the point. I would say that we haven't the slightest intention to build such an arcade, and never did have. There was a picture puhlished in the newspapers, but we had nothing to do with it and have no such intention.

Coun. Smith. Wasn't there some suggestion made to the Mayor in regard to an arcade?

Mr. Minot. I think some such suggestion was made hy somebody, hut not hy the trustees.

Coun. Smith. Are the huildings now torn down on Boylston street?

Mr. Minot. One building.

Coun. Smith. And would the plan he to build a solid huilding there, blocking the end of the street?

Mr. Minot. I think we would have some sort of passageway through, an open passage or arcade through the huilding.

Coun. Smith. I would ask how wide that would be, if it is not asking too much.

Mr. Minot. We have not definitely decided; I think prohahly 15 feet.

Coun. Smith. With an attractive entrance so as to draw traffic into it, I suppose?

Mr. Minot. Yes.

Chairman Kenny. I did not intend, Mr. Williams, to cut you short.

Mr. Williams, No; I had finished.

Q. (By Coun. Smith.) Then, Mr. Williams, if we are going to have, say, a 15-foot passageway from Boylston street through to Park square land, with a street already constructed on the Park square land, in your opinion would that raise the values of the Park square land? A. I suppose it might somewhat, but it would be pretty difficult to say how much.

Q. You wouldn't hazard a guess? A. No, a 15-foot passageway through there would he pretty small potatoes in my judgment. It would he very different from carrying the street itself through there.

Q. Now, of course, what it is going to cost the city to put the street through from Boylston street is $400,000, in round numhers. Do you think the difference in assessment on the land that might result from the putting through of the street as compared with the 15-foot passageway—because, after all, that is what the city is going to gct out of it—justifies us in spending $400,000 for the street? A. I have just said that is a thing I have not considered. I would want to consider it prctty carefully before making a statement. I would not want to say offhand.

Q. Then, you wouldn't really he prepared to say to-day that it was advisable for the city to spend $400,000 to extend Arlington street without an opportunity for further consideration? A. Not without further consideration, but I can say, from the consideration I have given it, only this, that I do think if the street were laid out there it would enhance the value of the Park square land, and therefore it ought to be done, upon some basis. But what that hasis would be I couldn't say without careful consideration.

Q. Then you arc unequivocally against the widening of Ferdinand street? A. Yes, sir.

Q. And in douht as to how much the city should expend in extending Arlington street to Columbus avenue? A. Yes, simply hecause I haven't considered that proposition at all.

Letter from Mr. Frederick C. Bowditch.

Mr. Hill. Mr. Chairman and gentlemen, I want to say one thing more, if I may. We had some employees of the garage present who were prepared to testify as to the question of the traffic, if there had been any dispute about it. There has not been, and I don't see any use in wasting the time of the Council with cumulative testimony. The Council knows how tenderly I hold their time. I do wish, however, to read a letter from Mr. Frederick C. Bowditch, president of the Conveyancers Title Insurance Company, who owns part of the land on which my elient's huilding is constructed:

Conveyancer's Title Insurance Company,
Boston, Mass., Decemher 9, 1911.

To the Boston City Council:

Sirs,—As a taxpayer, I wish to present my ideas touching the extension of Arlington street to Castle square. I divide the question into

First. That which is imperatively needed.

Second. That which is not.

First. The development of the territory imperatively demands the extension from Boylston street to Columbus avenue; the desirahility of this step is so apparent that nearly all agree that it is wise and proper, and all will be greatly benefited; a new thoroughfare is created which will draw in business from Boylston street; taxahle values will increase and the whole territory be stimulated; there can he no question of the puhlic necessity and usefulness of the extension of Arlington street to Columbus avenue.

Second. Going hcyond Columbus avenue you open no new thoroughfare, nor do you meet any imperative public demand, and it is difficult to discover business needs which the present street width cannot fully accommodate; nothing is in sight at Castle square; a large per cent of the Ferdinand street frontage is already improved hy new structures that are fully accommodated now.

The chief call for the widening seems to come from the owners of the railroad land, but I fail to see any imperative demand for such action from any present or near future needs; the puhlic feeling, easily seen in the extension to Columbus avenue, loses its force on crossing the avcnue; it requires no extended array of figures or arguments to go as far as this, hut, as soon as you cross, and begin to talk of widening Ferdinand street, it needs a great deal of talk and many figures to enlist extended support, and I fail to hear any sufficiently loud call for it to warrant the necessary expense.

I own lands on nearhy streets, and from a selfish standpoint I want everything done which will he likely to increase values, hut if the city stops Arlington street at Columhus avenue, it will have done all that public necessity and convenience require, or that the interests of private owners like myself ought to expect.

Very respectfully,
Frederick C. Bowditch.

I want onc word to clear the situation, in view of something Coun. Smith has said, and that is, ahout whether the cost of the proposed extension of Arlington street through the southerly side of Boylston street to Columbus avenue would be justified. I did not understand that that alone was going to cost $400,000. If it is, I think, as Mr. Williams does, that I am hardly prepared to say offhand that it is worth that to the city. But I do helieve that a street through there would be of very considerahle advantage — just how much I should want to get some pencils and paper and figure out. But I am prepared to say that it would he an advantage much in excess of the advantage of a 15-foot passageway.

Coun. Smith. It is exactly that point that is worrying me. You have hrought four witnesses here to show that Ferdinand street is not used much at the present time. Now, I suppose the only argument for widening Ferdinand street is your future traffic?

Mr. Hill. Yes.

Coun. Smith. Then you have not brought in witnesses to show whether Church street is used at the present time; in fact, I understand one of your witnesses to say that Church street is not used more than Ferdinand street. Now, there is no more imperative need, as far as I can see, for

cutting a new street from Boylston street to the Park square land, than there is for widening Church street or letting the thing stand in *statu quo*.

Mr. HILL. Well, I think there is a little, Mr. Smith, because I think that anyone who looks at that land from the point of view of development must feel that it would be much more likely to develop as a retail shopping district—and I speak now of the land belonging to the railroad—if a street was cut through, if Arlington street was extended. I think any private owner would think that desirable. Now, it seems to me, the legitimate function of the city to help private owners to some extent to develop their land, to aid them in laying out streets. Of course, that is a thing that ought to be done very carefully, with great discretion and with close attention to the details and the figures. But, assuming that a fair bargain can be made with the railroad, I do believe that the ability to get in at that point from the Back Bay to that district would tend to build it up into a retail shopping district in a way that would be advantageous. There is not much demand to get from other places to the Back Bay, gentlemen, but there is a good deal of demand to get away from the Back Bay to other places, and it is for that reason that I would like to see Arlington street extended, because I think it would make a shopping district there that people would come to a good deal from the Back Bay region.

Coun. SMITH. That is purely a belief on your part, and still I understood you earlier that you did not think that there was a tendency on the part of business to get up into the Back Bay.

Mr. HILL. Well, here you have a particular place, with that lot of vacant land, where something of the sort might very well occur in connection with the trade of the Back Bay itself. This land might very naturally be developed in that way in connection with the Back Bay region.

Coun. SMITH. Well, aren't you now turning around the other way? Why wouldn't the same argument apply to the widening of Ferdinand street? Both streets would lead to the same lot of land.

Mr. HILL. Because, I think we are dealing with an entirely different situation, as far as Ferdinand street is concerned. In one case, you have the population of the Back Bay, a large residential district, lying immediately near there. The nature of that population is such that I think it would be inevitable that stores would probably spring up on this vacant territory to supply the needs of that community. On the other hand, the residential districts lying to the south are so far off that I don't think it would be likely that there would be the same sort of demand.

Coun. SMITH. I understand your belief to be based on the ground that the population of the Back Bay would use such stores and that the people living in the South End would not?

Mr. HILL. I think that would probably happen.

Coun. SMITH. If theaters, vaudeville houses were there, do you think the people of the Back Bay would use them and that the people of the South End would not?

Mr. HILL. Well, are you not now going into purely speculative considerations?

Coun. SMITH. I don't know that I am, as far as theaters, perhaps, might be concerned.

Mr. HILL. Well, of course I do not pretend that my opinion is worth anything more than that of any man living in that neighborhood who has occasion more or less to consider real estate values. I think it is worth very little.

Coun. SMITH. Well, there is one more point that I would like to refer to, that is more definite. A freight franchise, almost without doubt to be granted to the Elevated, calls for a station on Motte street and Washington street.

Mr. HILL. Yes.

Coun. SMITH. That station will be used mostly for express matter from department stores, for deliveries of small packages to the outlying districts, south and north. The existing stores on Boylston street, let alone Park square land, will demand a direct route to that express station, and the direct route will be through Ferdinand and Castle streets. Would that, in your mind, necessitate the widening of Ferdinand street?

Mr. HILL. I should doubt whether that alone would create sufficient traffic to crowd the street as it stands to-day.

Coun. SMITH. Do you think it would create additional traffic?

Mr. HILL. I should think undoubtedly it would create some additional traffic. I don't see how it could fail to do so. But the street as it stands to-day should take care of a great deal more traffic than now exists.

Coun. SMITH. Well, divorcing ourselves from clients entirely, you don't think there will be traffic enough through Ferdinand street to warrant the widening of that street, although you think there will be traffic enough from the other side to warrant the cutting through of another new street, although we have Church street?

Mr. HILL. It is not a question so much of traffic as of interior development. I think there will be development enough of that railroad land to justify the cutting through of a street. You ask me to express my personal opinion. In this particular case my personal opinion happens to be in agreement with my client's, and for that reason I do not object to stating it; but, ordinarily speaking, that is not a fair question to ask a lawyer, because on the next matter on which I come up here I might not in my heart of hearts believe that my clients were right. The question you have to consider is not whether I put forward my arguments sincerely or not, but whether they are good arguments.

Coun. SMITH. That is it exactly. Has any estimate been made of the damage to your client's property?

Mr. HILL. We have made some general estimates. We are not prepared to state in detail what our damages are at the present time, because it will be impossible to do so without going into an elaborate question of figuring about the reconstruction of the building. Substantially that building would have to be torn down and rebuilt, and if you feel any doubt about that I can explain in detail why it would have to be so. The foundations would have to be shifted, a pile driver would have to be got in there again, the roof would have to be taken down and a very large proportion of the total value of the building would, in our judgment, be destroyed. Now, of course, we should try to minimize that as much as we could when we came to actually doing it. How far we could minimize it I don't know, but I don't think very far, because the inherent difficulties of the situation are very, very great from a builder's point of view. I don't think it is necessary that I should go into those details, because I think that was gone into at the other hearing and some members of the Council, I think you among them, have visited the premises. So you know what we are up against.

Chairman KENNY. Is there any other person present who desires to be heard?

STATEMENT BY MR. FRANK A. GOODWIN.

Mr. GOODWIN. Mr. Chairman and members of the committee, I think Mr. Hill has made a very good case on the proposition that Ferdinand street should not be widened, but I think he has given what I might term had reasons for the extension of Arlington street. He has practically admitted that the only reason why it should be done is to develop the real estate belonging to individuals in that community. Now, that is very bad business for the city. The city of Boston has had some experiences along this line recently. No doubt you all remember Queensberry, Peterborough and Jersey streets, where the city did that—laid out some millions of dollars for the express purpose of having some land in the vicinity increased in value, and it never increased and the city paid the bills, and there has not been any increase since.

I am opposed to the order now before this body because I think if there is any money that the city can afford to spend in street construction it should be spent in the outlying sections, which need it more—sections where men have built their homes and are now living, rather than having it spent for the purpose of benefiting individuals who own land.

I want it understood, Mr. Chairman and gentlemen, that I am not opposed to the development of Park square. I realize that that development must come and perhaps ought to come now. Seventy-six per cent of the real estate in the heart of the city—that is, the business section between Adams square, Tremont, Washington and Boylston streets—is controlled by a very few men, and through the great influence they have with various bodies, and particularly with the Transit Commission, in my opinion, they have diverted the retail trade not only of Boston proper but of metropolitan Boston into that very narrow,

very small area. It is very evident that that area is not large enough to now accommodate the growing city, and of course if the city grows the business section must grow in the direction of Pleasant street and Park square. These men who control that seventy-six per cent practically of the business section here realize that this improvement, this expansion, must come, and I think they realize that it must come in that direction. Consequently they are on the ground floor. They are practically in control of most of the property in that vicinity.

I want to say that it is my candid opinion that these men also control, through their financial alliances, the Real Estate Exchange, the Chamber of Commerce, the Finance Commission of Boston, the Good Government Association, and there is a widespread belief—I hope it is not so—that they control this body. Personally I don't think they do.

Now, Mr. Chairman, if there is to be any future development or any future spending of money for streets, I think there is no question but that it should be in the outlying section. I expected that the Finance Commission would be here to-day opposing this loan. I am rather surprised that they are not. On page 1187 of the original Finance Commission's reports, under "Comments on Construction of New Streets," there is a letter from the secretary of the Real Estate Exchange—another body which I thought would be here to-day opposing this—and it says on that page 1187 of Volume 3 of Metcalf & Eddy's reports:

"Of the amounts paid out for 229 streets since 1891, the large suburban wards of Dorchester, West Roxbury and Brighton, in which the largest areas of unimproved lands are found, received for construction of 148 streets sums amounting in gross to $1,635,762.17, or about $11,000 per street, and an average for the three great wards of less than $100,000 per annum for the seventeen years since 1891 for gross street construction.

"It is apparent that settlement of these important parts of the city with a total population of 152,893 in 1905 is retarded and discouraged by such inadequate appropriations towards that indispensable convenience for the attraction of home seekers—good streets. While schools are very properly awarded by statute a certain proportion of receipts from taxation, street construction, which may be fairly regarded as essential to civic welfare and progress, and which in many instances of new streets returns its cost in increased taxation, has been neglected and made the sport of a general periodical scramble independent of the actual needs and merits of particular sections or ways."

Herewith is sent a list of petitions for street construction at that time, July 23, 1908, before the Street Commissioners.

"The latter list shows that 428 petitions for street construction were then before the Street Commissioners, divided between city districts as follows:

"City proper, 35; Charlestown, 11; South Boston, 22; East Boston, 14; Roxbury, 78; Dorchester, 140; West Roxbury, 93; Brighton, 35."

Also, on page 1189 appears this statement by Mr. Duane, their expert:

"With things as they have been for the last ten years the city gives no encouragement to men who are willing and anxious to develop real estate and erect buildings for residential purposes.

"With the completion of the Forest Hills terminal of the elevated railroad, there ought to be a great development of real estate in West Roxbury. The opportunity is there but the landowners and the builders cannot do it alone. The city ought to help them by giving them good streets."

Any loan made at the present time ought to be for the building of streets that are residential. That was the word of the Real Estate Exchange, incorporated into the Finance Commission's report, and yet I understand both of those bodies are in favor of this proposition, although they have not been here to say so.

Now, I have in my hand a list of live petitions. There are some of them among the 428, no doubt, that have lapsed or may not be absolutely necessary. Here are petitions that more than a million, a million and a half dollars worth of streets, ought to be constructed, known as live petitions. People are petitioning for the construction of streets. People live on the streets and want the work done; and yet if you give these men $520,000, it means that these other petitioners have got to wait just so much longer.

The Finance Commission last year, you will remember, sent to this body a message opposing certain loans, and among them was the $260,000 for Norfolk street. Here is the statement they made:

"The Commission believes that the widening would be of public benefit but that it is not of such pressing necessity as to justify the withdrawal of so large a portion of the money which can be borrowed this year."

The borrowing capacity then was $1,193,000; at the present time the borrowing capacity is only $768,000. Why shouldn't they be here to-day to protest against this? The final statement in their report then was as follows:

"That hereafter not less than $500,000 of the borrowing capacity of the city be maintained as a reserve, no part of it to be used except in cases of the greatest emergency."

Is this a great emergency? If this $527,000 is taken from the $768,000, you have a balance in your reserve of but $248,000. Of course, if there is a great emergency that requires this, I suppose the Finance Commission would be justified in turning tail on their original statements.

Then, the Finance Commission this year sent a statement—you will find it in the *City Record* of February 25—to the Legislature:

"That all bills now pending providing for loans for bath house, playground, hospital, street construction and street widening be rejected"—and it mentions the various loans—on the ground that the city cannot afford it. Our duty in that respect is greater now than it was when the Finance Commission made its original report.

The Good Government Association this year, May 11, after mentioning the various loans that you put through—$120,000 for municipal building, an amount for Mt. Ida Playground, etc.—says:

"The passage of these loans calls attention to the comparatively small amount of money which is available within the debt limit this year for loan purposes. Good policy would require that a reserve of at least one-half million dollars, and probably more, should be left unborrowed within the debt limit. Last year the Council was universally commended for maintaining a reserve of one million dollars. At the best, it is perfectly apparent that the city cannot afford to borrow much money for any purpose this year beyond the loans already provided for."

And yet I do not see any representative of the Good Government Association here opposing this loan. I don't hear any of them here telling you that you should keep the reserve at half a million dollars. They must know that if this goes into effect the reserve will be brought down to $240,000.

Now, with reference to the statement made by Mr. Hill, that he thought it might be good policy to run Arlington street through in order to benefit the real estate and thereby benefit the city, on page 1175 of the Finance Commission's report, the Metcalf & Eddy report, appears the following:

"The question of special assessments was very thoroughly discussed by Mr. Samuel Whinery in his report to your commission, dated July 27, 1908. Mr. Whinery lays down the principle that the city should not construct streets for the purpose of assisting in the development of real estate, or for the purpose of providing for an increased valuation of the property affected and thereby obtaining a return for the expenditures in increased revenues from taxes. We are in entire accord with this view and believe his statement to be correct that the city should no more embark in such a real estate venture than in a similar enterprise looking to the development of a manufacturing establishment. He has put this matter in such a forcible way that we quote from his report as follows."

And then they quote Mr. Whinery to practically the same effect. I don't see the Finance Commission here quoting that. There may be a good reason.

I have here part of a copy of *Boston Common* of last year, in which appeared an article written by, I think, a member of this Board, and I should like to quote just one little part of it. It was an article showing that the charter was a good thing, and in speaking of the City Council he said:

"The present Council has taken up each loan separately upon its merits and has passed all those which were of necessity and which the financial condition of the city rendered it possible to adopt. At the present time over one million dollars of the amount which can be borrowed within the debt limit has been left untouched. This is the first

substantial check which has been given to the borrowing extravagance of recent years."

At the time when he wrote this tbe net debt of the city was $71,345,000; to-day the net debt is $72,920,000—an increase of a million and a half. So that now apparently the city is not in as good financial condition as then, and it would seem to me to be ridiculous to bring our resources down to $240,000, particularly when there is no necessity for this improvement except to benefit real estate owners who happen to be in that particular community.

Personally I think the proper solution to the development of Park square is this. These men wbo are in favor of it for years have been bolding their hands up in horror at the size of our debt. Personally I tbink they were bluffing. They would tell you that the City of Boston was bankrupt. I don't think it is. We have $138,000,000 assets and $110,000,000 liabilities. We also have an assessed valuation of a billion and a half, pretty nearly. We are not bankrupt. We are a big city and ought to grow and ought not to be afraid to spend money to grow. And these men, who for years have stopped the spending of money where they were not personally interested and who come in now and want us to spend more than we ought to under the circumstances because they are personally interested, should be prevented from doing tbis in the future. Personally I think we should go to the Legislature and ask them to let us borrow three million dollars for streets. Tben let us put a million and a half down in Park square, if necessary, if the growth of the city must be in that direction; and let us put a million and a half in the outlying sections where the people are patiently waiting for it and where they have been spending their good money in building homes.

I hope, gentlemen, that you will not pass tbis, but will keep the reserve where tbe Finance Commission and the Good Government Association want you to keep it, with $500,000. I thank you.

Q. (By Coun. BUCKLEY.) Mr. Goodwin,—in order to bring it more forcibly to the Council, who will act upon this matter,—of course you and I were around the city a great deal last year and both happened to be in the same places sometimes; and is it not a fact that the people of West Roxbury, Dorchester and those outlying sections are crying for the improvements you mentioned to-day and are very much opposed to more money being spent in the Back Bay section until they get what they are after? A. There isn't any question of that. I think the best evidence of the fact that they want improvements is the little booklet that you print each year. I think you have printed it this year; I know you did last year,—the minutes of your town meetings. I think if you will take that up and look it over you will find out what the people of the outlying sections want. Of course they perhaps ask for more tban they need, but there are a great many tbings that they do need.

Q. (By Coun. SMITH.) I want to get clearly in mind your attitude, Mr. Goodwin. I don't want to be under any misapprehension, personally. You say you are not in favor of spending money to help increase the values of the locality where the money is spent? A. Not if it is particularly for that reason and there is no other demand for it, as in this particular case. There isn't any traffic here. Mr. Hill has shown you that there is no traffic along Ferdinand street. There is certainly going to be no traffic along Boylston to that blind end of Beacon. It is not a tboroughfare and it never will be.

Q. Then your argument would apply both to the extension of Arlington street to Columbus avenue and to the widening of Ferdinand street from Columbus avenue to Castle square—that is, in your mind it applies to the whole project? A. If Mr. Hill's contention is correct, and if the statements of his witnesses are correct, that there is not sufficient traffic there to call for it, I say tbat we should not do it now, tbat we should wait until it is needed.

Q. Aside from what Mr. Hill says, do you in your opinion think the whole project is wrong and should not be gone into by the city? A. I think I answered that by stating that we ought to go to the Legislature and ask to be permitted to spend three million dollars for street construction, and I would be willing to have a million and a half, or more, if necessary, spent for the development of Park square and tbat section. But I don't think we ought to take $520,000 out of the already depleted reserve of $768,000.

Q. Then, if I have your answer correctly, it is that, unless we have three million dollars to spend, you would not advise taking up this project in any part? A. Unless you give the outlying sections improvements—sections that need it more than this development down here is needed—you should not spend any money down here.

Q. Well, would that apply to all the downtown districts or just to this Park square district? A. I don't know of any other district that needs development. I don't think that that does now, but it may pretty soon.

Q. Then, your criticism would apply to all the downtown districts, and Exchange street, for instance, is just as much in point as Park square? A. If that was necessary, if the condition of the street down tbere was such that traffic was being impeded, that business was being injured, I tbink the city ought to spend money to prevent it.

Q. I am trying to get clearly in mind your attitude. I have no object in questioning except to get your attitude clearly in mind. As I understand it, you say we ought to spend approximately three millon dollars. A. I don't know just how much you sbould spend.

Q. Well, a large amount, and that money ought to be spent first in the outlying districts? A. No, I say if you spend any down here you ought to spend some out tbere. I say that might be the first, but I don't say that it necessarily ought to be. I should say that perhaps Exchange street ought to be taken care of before anything else downtown. That is a matter for consideration. I don't know.

Q. Well, of course, you are a keen observer. You realize that we have spent a large sum of money, more than this order calls for, for the outlying districts this year. Of course, you know that. A. I haven't seen the figures.

Q. Well, tbere is one single item of $150,000 for Norfolk street, without any come-back at all. A. You mean the loan that has been put tbrough this body?

Q. Yes. I don't want to take up the time to go into all tbe items for the outlying districts, but we could foot up, I should say, without having the actual figures before us, three or four times the amount of this order that has been given to the outlying districts this year. A. Well, you remember that in that report tbe Finance Commission sent they said it was absolutely necessary, and if done now it would save money, that if you let it go it would cost tbe city more.

Q. If wbat was done? A. The widening of Norfolk street. The point I want to make there is that it was necessary, absolutely necessary, and tbat you ought to have spent it out there. This isn't necessary at the present time, in my opinion. You may have a different opinion.

Q. There is only one otber question that I would like to ask you. You stated in your opening remarks a number of organizations that were in control of the seventy-six downtown property owners. Do you mind restating those? A. What I stated was that there were a very few men who controlled about 76 per cent, in assessed valuation, of this downtown property.

Q. And, if I understood you aright, you said that those same men controlled certain organizations in town? A. I gave it as my opinion that they do.

Q. Do you mind restating those? A. The Chamber of Commerce, Real Estate Exchange, Finance Commission, Good Government Association, Municipal League, for instance.

Q. The City Council? A. No. I didn't say that.

Q. Is that the entire group, or do you care to add more, on second tbought? A. I think I could add more,—practically all the uplift movements in the town.

Q. Any other bodies you might mention in town that are not controlled by these men? A. Ob, yes, I have no doubt that some are not controlled by them, but I think if they went after them they would come pretty near getting them.

Q. Do you object to stating some of them? A. I cannot think of them just now.

Q. All you can think of are controlled by those men? A. All I mentioned are. Perbaps I might mention various lodges, organizations of that kind, that they don't control,—Odd Fellows, Hibernians, orders of that kind.

Q. But you are not sure whether they control those or not? A. No.

Chairman KENNY—Is there any otber person who cares to discuss the matter before us? (No response.) If not, the committee will take the matter under advisement.

[This closed the hearing.]

Coun. Hale's order, offered as an amendment just after the presentation of the report, earlier in the session, was adopted, and the question came on the passage of the order reported by the committee, as so amended.

Coun. BUCKLEY—Mr. President, I move to further amend the report of the Committee on Finance by striking out the words "without prejudice to the Arlington street extension" and everything thereafter in the report.

By direction of the President the Clerk stated that the report of the committee would then read that the Committee on Finance, having considered the subject, would respectfully report that the order ought not to pass.

Coun. BUCKLEY—Mr. President, in offering this amendment it seems to me that the Council ought not to go half way, but that it ought to go the full distance, either rejecting or accepting. Now, I am in favor of the rejection of the entire proposition, because the public hearing we held showed that there was no need of the extension of Arlington street or the widening of Ferdinand street. We have already in this neighborhood Berkeley street, which is practically a main thoroughfare through to South Boston, being really a continuation of Dover street. When Pleasant street is widened, as ex-Mayor Matthews says, there will be absolutely no necessity for the extension of Arlington street; and even the people who proposed the extension of Arlington street and who spoke in favor of the proposition at the public hearing stated that in their opinion, as I understood it, there would not be such a great amount of travel through that extension, even if the street were extended. In view of the fact that we have Pleasant street, that we have Berkeley street, and a little farther down Dartmouth street, it seems to me we have enough direct routes to the Back Bay so that at the present time there is no demand or necessity for the extension of Arlington street. We do, however, have many streets that could and should be widened in other sections of the city. We have many demands for street construction and work of that nature, and it seems to me that the $500,000 that would be spent on the extension of Arlington street could be spent to better advantage in other sections of the city. There is the great West Roxbury section that needs development; there is your own section, Mr. President, the Dorchester district, that needs development; there are Brighton and other sections where money should be spent to develop land before spending it for the benefit of the New York, New Haven & Hartford Railroad and Mr. Laurence Minot. Just imagine the former president of the Good Government Association of Boston appearing before a committee and in answer to a question admitting that he had bought two shacks on Piedmont street which would be affected by the widening of Ferdinand street if it went through the City Council. He is the man who has been saying in regard to members of this Council, "This candidate ought to be defeated," or "We cannot recommend his election." It seems to me the whole proposition ought to be rejected—not using the words "without prejudice," but rejected. The Street Commissioners know what they want. We do not need to instruct them in their duties. We can ask, if necessary, for estimates or they can give estimates for the extension of Arlington street. But we do not want to straddle the question at this time. We want to either reject or accept, and I hope the City Council will accept my amendment, not leaving the thing open in such a way that in future months, after January 9, we may accept this proposition. Let us accept it or reject it now; let us do one thing or the other. Don't be afraid.

Coun. SMITH—Mr. President, it is refreshing at least to find why Coun. Buckley and Curley are objecting to this, that they are standing with ex-Mayor Nathan Matthews against Laurence Minot. That seems to be the whole attitude. It seems to me we ought to view this in a little broader way than that. This is a public meeting, and we are asking——

Coun. BUCKLEY—Mr. President, I would like to state for the gentleman's benefit that it is not because of Mr. Laurence Minot that I am objecting to this proposition. I am simply against it because I think there are other improvements much more necessary at this time than the extension of Arlington street. Mr. Laurence Minot when he wanted to try to take my reputation and character away did not hesitate. He tried to do it.

Coun. CURLEY—Mr. President, I feel in justice to myself that I should correct an impression that Coun. Smith is endeavoring to create. I want to say that when I asked Mr. Minot if he had purchased property in that vicinity recently I did not know that he had done so, but he admitted it. Even if he had not done so I would be against a proposition that is for the purpose of looting the city treasury, if undertaken by the worst crook in Boston, just as quickly as if it were done by Mr. Minot.

Coun. SMITH—Mr. President, if I am in error I shall be glad to be corrected, but my memory is that Coun. Curley stood in this body a few moments ago and read an opinion from Nathan Matthews, and that he agreed with that opinion. In that statement Nathan Matthews objected to this whole proposition, from Boylston street to Castle square. Now Mr. Curley gets up and gives as one of his reasons that Mr. Laurence Minot approves of this proposition and is interested in it. I think that stands without further criticism.

Coun. CURLEY—Mr. President, it is rather unfortunate that the member on the other side of the Chamber cannot seem to comprehend statements as they are made. Mr. Minot did not admit that he had purchased property on Arlington street. He did admit that he had purchased property on Piedmont street, on the side of Ferdinand street where the widening was to take place. He did, however, admit that the parties for whom he was acting, the New York,. New Haven & Hartford Railroad, owned the properties on Boylston street that it would be necessary to take in order to extend Arlington street across Boylston street. I believe I made myself perfectly clear on that. I have no objection to his acting for his client, but I want to be perfectly frank in this particular, that a man who knows that a street widening is to take place cannot be classed as a public spirited citizen if within two weeks of that land-taking or that order being seriously considered by the city government he goes there and purchases property. He lays himself liable. It is not necessary for me to condemn him; he condemns himself.

Coun. SMITH—Mr. President, it is curious that this argument crops up at this time in connection with Mr. Minot's name. It was only a few weeks ago, when we were considering the widening of Pleasant street, that it appeared that the Mayor's brother held a piece of land there, that Mr. Martin Lomasney held land there, and other politicians known to be friends of Mr. Curley, but Mr. Curley made no reference to that matter in connection with the widening of Pleasant street. Therefore, it is rather significant when he stands in the body and brings in the name of an outside gentleman as an owner of land up near this proposed improvement and objects to a great public improvement that we are considering simply because one gentleman owns land in that vicinity and may possibly be benefited thereby.

Coun. KENNY—Mr. President, it seems to me that we are engaged here in making a mountain out of a mole hill. All the afternoon some of the members here have been engaged in a controversy or disputation, which I think is not altogether warranted. The Committee on Finance have heard this matter, have given a public hearing and have made a report. I think seven-ninths of the members of the committee—at least seven-ninths, as the matter stands to-day—favor the elimination of the widening of Ferdinand street; but they are willing to consider and have the Mayor take up with the officials of the New York, New Haven & Hartford Railroad the question of the extension of Arlington street. That is an executive matter. That is a matter that lies and will lie largely in the hands of the Mayor and the officials of the railroad, and it is the intention and expectation of this Council that the Mayor will take up this matter, having the interests of the city at heart, and undertake to put through the very best trade he can on behalf of the city and come back to us with his report. That is the status of the matter. Personally, as chairman of the committee, I am against the widening of Ferdinand street, but I am not against information obtained and brought in here as called by some of the members, as to how much it is going to cost to widen that street. I can forecast my position in the matter now. I would not be in favor of widening Ferdinand street at present, unless it meant at substantially no cost whatever to the city. That is the position, I think, of at least seven-

ninths of the members of this Board, and it seems to me a great waste of time, with almost the danger of placing this Board before the public in an improper light, to argue and reargue, state and restate these various propositions. When you come right down to it, we are against at the present time, and shall be hereafter, the widening of Ferdinand street, if it means any substantial payment by the city. There is no objection, however, to our finding out what it may cost eventually to do so. That has no bearing on our position here to-day. We simply say now that we are prepared and willing to take up with the New York, New Haven & Hartford Railroad the question of the extension of Arlington street. What can the Mayor do for us? What is the best trade that he can bring about that will result to the advantage of the City of Boston? I hope, therefore, that the amendment offered by the member from Charlestown will not prevail. I trust that the report of the committee will go forward and be adopted, with the harmless amendment that has been offered by my friend from Ward 11. The adoption of the committee's report rejects the widening of Ferdinand street. There is no doubt about that. Let that be understood. We are against the widening of Ferdinand street, but we see no harm in having it ascertained what it would cost if the city desired to do so. But we are against it.

Coun. BUCKLEY—Mr. President, if we are against that, personally I am willing to state that I am against the widening of Ferdinand street, and the extension of Arlington street, also. That is my position. But it seems to me that the Mayor would get the information desired without our instructing him to do so, and that there is no necessity for the words in the report of the committee "without prejudice to the Arlington street extension." I believe that his Honor the Mayor will get all that information and that at the proper time, if necessary, he will send it to the Council again. At the present time I do not believe, from the evidence offered our committee, that there is any demand for the extension of Arlington street, and for that reason I am certainly opposed to it. I know the Committee on Finance gave a great deal of time to the proposition and carefully heard and considered all the arguments. That is my position. Until there is a greater demand for the extension of Arlington street, I shall be opposed to it and shall so continue. I hope my amendment will prevail and that we will simply have the report read so as to place the Council where it ought to be—not straddling the question, but simply saying "Yes" or "No."

Coun. Buckley's amendment was declared lost. Coun. BUCKLEY doubted the vote and asked for the yeas and nays. The amendment was rejected, yeas 1, nays 8, Coun. BUCKLEY voting yea.

The orders reported by the committee, as amended by the order offered by Coun. Hale, were passed.

The order for a loan of $520,000 for the extension of Arlington street and widening of Ferdinand street (referred October 30) was rejected, yeas 0, nays 9.

BRANCH LIBRARY, WARD 25.

Coun. ATTRIDGE, for the Committee on Branch Libraries, submitted a report on order (referred June 20) for loan of $25,000 for site and construction of branch library, Ward 25—recommending reference to Trustees of Public Library for report and recommendation.

Report accepted; said reference ordered.

DISCONTINUANCE OF WAY STREET SCHOOL.

Coun. ATTRIDGE offered an order—That the School Committee be requested, through his Honor the Mayor, to inform the City Council if anything has been done concerning the discontinuance of the Way Street School.

Passed.

FOOTBRIDGE, DALTON STREET.

Coun. ATTRIDGE offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to inform the City Council as to what work has been done in the matter of building of footbridge on Dalton street, bonds having been issued for said work in January, 1910.

Passed.

PAYMENT OF WAGES TO FIREMEN.

Coun. BUCKLEY offered an order—That his Honor the Mayor be requested to instruct the City Treasurer to pay all firemen and policemen their wages on the Saturday preceding Christmas.

Passed.

KEEPING OF GARBAGE.

Coun. SMITH presented a petition signed by P. Robert Greene and very many others asking that an ordinance be enacted to provide that refuse should not be piled above the rim of the barrel containing it, and that the barrel shall be at all times covered with a suitable cover.

In connection with the petition Coun. SMITH offered an order—That section 1 of chapter 9 of the Ordinances of 1910, as amended by chapter 1 of the Ordinances of 1911, is hereby further amended by adding a new section, viz.:

"Section 3. All swill and garbage, from all sources, or refuse containing the same, shall be kept in covered receptacles at all times."

Coun. SMITH—Mr. President, simply a word in explanation. There is before the Committee on Ordinances now an amendment to the ordinance in regard to the collection of city waste. This is a further amendment, and it is made necessary by the fact that the health regulations of the city do not provide for the covering of garbage and swill. Needless to say, the nuisance from that source is extreme, especially in the summer months. The uncovered barrels and boxes on the streets containing the same are a continuous source of danger. The matter cannot help being more or less distributed about the streets. It breeds flies and causes disease before being collected, and makes the city most unsightly. In the crowded sections of the North and West Ends and some sections of the South End this is especially objectionable. It is to correct this great public nuisance that the order I have introduced is offered. The papers of the city have taken the matter up. The *American* has had a very good article on it, as well as the *Journal*, and there have been circulated in the North End only, just that one section of the city, petitions asking for this action by this body. I have presented a petition bearing several hundred signatures.

President COLLINS—The order and the petitions will be referred to the Committee on Ordinances.

CROSSWALK, WARD 16.

Coun. BALLANTYNE presented a petition signed by C. F. Horlson and many others asking for crosswalk on Judson street.

In connection with the above Coun. BALLANTYNE offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct a crosswalk at the junction of Judson and Julian streets, Ward 16.

Passed.

CITY CLOCK, DUDLEY SQUARE.

Coun. BALLANTYNE offered an order—That his Honor the Mayor be requested to consider the advisability of maintaining a city clock in the vicinity of Dudley square, Roxbury.

Coun. BALLANTYNE—Mr. President, in connection with this order I should like to say just a word. At No. 2400 Washington street, which is the junction of Washington and Dudley streets, now known as Dudley square, there has been a clock for over forty years. For some time past that clock has not been maintained, and residents of that section are very much interested in having the clock take its old place so as to inform the people of the correct time of day. I have in my hand a letter from a gentleman who has maintained that clock for forty years and who is now willing to give the clock up to the city for its maintenance. I have asked his Honor the Mayor to consider the advisability of taking this clock over. It is not in a public building, but is in a public square, and is a clock that has been considered by a majority of the residents there for a number of years as a public clock.

The order was passed.

NOTICE OF CITY ELECTION.

Coun. BALLANTYNE offered an order—That the City Clerk be directed to give notice, by advertising the same as required by law, that meetings of the male citizens of this city, qualified to vote for city officers, will be held in the several polling places designated for the purpose by the Board of Election Commissioners, on Tuesday, the ninth day of January, 1912, to give in their votes for tbree members of the City Council and for two members of the School Committee, and also to give in their votes "Yes" or "No" in answer to the following question: "Shall licenses be granted for the sale of intoxicating liquors in this city?"

The City Clerk is also directed to give notice, as aforesaid, that meetings of the female citizens of this city, qualified to vote for School Committee of the City of Boston, will be held on tbe same day and in the same places, to give in their votes for two members of the School Committee.

The polls at said meetings will be opened at six o'clock a. m., and closed at four o'clock p. m.

Passed.

RAILWAY SHELTER, WEST ROXBURY.

Coun. BALLANTYNE offered an order—Tbat the Boston Elevated Railway Company be requested, througb his Honor the Mayor, to cause a shelter to be erected for the protection of its patrons at the junction of Grove, Centre and Spring streets, West Roxbury.

Passed.

COST OF SHAWMUT AVENUE EXTENSION.

Coun. BALLANTYNE offered an order—That the Board of Street Commissioners be requested, througb bis Honor the Mayor, to furnish the City Council with an estimate of tbe cost of extending Shawmut avenue to Washington street, Roxbury.

Referred to the Executive Committee.

WARD 19 PLAYGROUND LOAN.

Coun. SMITH offered a resolution—That the wording of tbe loan authorizing $60,000 bonds to be issued for playground "in Ward 19" be changed to read "for Parker Hill and Mission Church District."

Coun. SMITH—Mr. President, simply an explanation of this. This order is asked for as tbe other one that passed some time ago was asked for. It seems to me, in light of the facts which have come to our attention recently, that we should change tbe wording of this loan so as to insure that the Parker Hill district and Mission Church district which originally secured tbis $60,000 shall secure the benefit of it now. I would like to ask unanimous consent to withdraw that order, at present, in order to revise it.

The order was withdrawn.

Later in the session Coun. SMITH offered the following:

Resolved, That in the opinion of the City Council the wording of the loan authorizing $60,000 bonds to be issued for playground "in Ward 19" should be changed to read "for Parker Hill and Mission Church District."

Coun. McDONALD—Mr. President, I move that that resolution lie on the table, for this reason: the Mayor is going to have a meeting of the Mission Church or the St. Alphonsus Association, and people interested in the playground in Ward 19, in his office on Thursday or Friday of this week, with the Park Department and some representatives from Charlestown, and he is going to insist on proper conditions prevailing as far as the sites are concerned. I tbink if we let this go over the matter will be settled satisfactorily to everybody in Ward 19 before the next meeting.

Coun. SMITH—Mr. President——

President COLLINS—The Chair would rule that no debate is in order on the motion to lay on the table, but if there is no objection, the gentleman making the motion having spoken, the Chair will recognize Coun. Smith.

Coun. SMITH—I spoke to Mr. Leahy, secretary of the Mayor, on this point, and he said he saw no objection to this resolution. I would also like to state that simply as a matter of justice that $60,000 should go to the district which originally obtained the $60,000. It has nothing to do with the exact location of the playground; it simply returns to that district what it worked so hard for originally, and what I think the majority of this Council heartily favors its having. I sincerely hope the motion will go through.

Coun. McDonald's motion to lay the resolution on the table was declared lost. Coun. McDONALD doubted the vote and asked for a rising vote. The Council stood divided, and the motion was lost, 1 to 3.

The resolution was adopted.

RENT OF MARKET CELLARS.

Coun. McDONALD presented the following petition:

Boston, Mass., December, 18, 1911.

The Honorable the Mayor and the City Council of the City of Boston:

The undersigned respectfully represent that they petitioned the City Council for repayment of the sums required of them by the Street Commissioners for use of sidewalks in front of their cellars in New Faneuil Hall Market, because payment for this use had been included in the rents named in their leases, and the City Council passed an order requesting the Street Commissioners "to consider the advisability or inadvisability of making a nominal charge for the use of space on sidewalks in the market district." The Street Commissioners have taken no action in the matter because, we are informed, they believe, that inasmuch as tbe statute requires that a cbarge be made for such use, they cannot of themselves, and cannot be authorized to, make otber than the proper cbarge.

Your petitioners therefore respectfully ask the city to reduce their rents so that each petitioner at the end of bis lease will bave paid only once for this sidewalk use.

C. S. Day & Co. et al.

The petition was declared referred to the Committee on Claims.

Coun. McDONALD—Mr. President, I was about to make a motion that it be referred to the Executive Committee to give a hearing.

President COLLINS—If there is no objection, the reference is withdrawn.

Coun. BUCKLEY—Mr. President, I bope the original reference will prevail. I bave already investigated this on a special committee appointed by Coun. Ballantyne when he was president of the City Council. I bope the original reference will prevail.

President COLLINS—Objection being made, the reference stands.

Coun. McDONALD—Mr. President, I move reconsidcration of refenence to the Committee on Claims. I do not object to tbe Committee on Claims eventually taking this up, but there is some question of the city's rigbts and the Council's rights in bandling that particular matter. Mr. Bailey asked me to have it referred to the Executive Committee. He said that committee could get an opinion of the Corporation Counsel as to whether we had any right to refund tbis money. As for the question at issue, the market men down in Faneuil Hall and the big market under their leases are taxed and pay for the use of the sidewalks in conjunction with the stalls and cellars they occupy, but under the Acts of 1907 tbe Board of Strcet Commissioners were compelled to tax them again, and they are paying a double tax for the use of the sidewalks. They made an effort to get some of their money back in some way and were told by the Street Commissioners that tbey did not have any power in tbe premiscs. They consulted the Mayor and he said that they had to come to the City Council and that the City Council could take some action in some way but he didn't tell how. In order to have tbe matter straightened out, if this is referred to the Executive Committee we can get the opinion of tbe Corporation Counsel as to our rights in the premises. Then, if he thinks we can reimburse them, or tells what we can do, we can refer tbe matter to the Committee on Claims. But in any event we ought to find out the facts, and, if possible, see if these men cannot get back the money they have paid out illegally or have their present leases reduced to meet the amount they are assessed for by the Street Commissioners.

Coun. BUCKLEY—Mr. President, we had that matter before the Executive Committee two years

ago, and we considered it then. I am going to withdraw my objection to the new reference, but there is one thing upon which I wish to go on record. They have not paid anything illegally and they have not been subjected to any double taxation, either. They are paying just the same as any man in the market, whether he hires his place from the City of Boston or from a private individual. They all have to pay this tax and the people who pay a private property owner are paying just the same and it is not called double taxation in their case. Why should anything be done in this case simply because the City of Boston happens to be the landlord instead of a private owner? But I am perfectly willing to withdraw my objection and have it go to the Executive Committee.

Reference to the Committee on Claims was reconsidered and on motion of Coun. McDONALD the petition was referred to the Executive Committee.

SUSPENSION OF SIDEWALK LAYING.

Coun. HALE offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to suspend action on an order passed by the City Council and approved by the Acting Mayor, August 4, 1911, providing for the laying of granolithic sidewalks on both sides of Minot street, between Neponset avenue and Adams street, Dorchester, until notice is sent to all the abutters on said Minot street and until said abutters have a chance to be heard by the City Council.

Referred to the Executive Committee.

BUILDING OF ARTIFICIAL SIDEWALKS.

Coun. HALE offered an order—That no lien order providing for the construction of sidewalks or edgestones be passed by the City Council, unless the petition for such sidewalks or edgestones is signed by the majority of abutters on the street named in the petition; or until notice is sent by the City Council to the abutters on said street and said abutters are given a chance to be heard by the City Council.

Passed.

RECESS TAKEN.

The Council voted at 5.19 p. m., on motion of Coun. BALLANTYNE, to take a recess subject to the call of the President.

The members of the Council reassembled in the Council Chamber and were called to order by the President at 6.45 p. m.

COUNTY ACCOUNTS.

Coun. CURLEY, for the Committee on County Accounts, submitted a report on pay roll of Registry of Deeds (referred to-day), from November 20 to December 18, amounting to $3,102.85—approving of same.

Report accepted; approved and ordered paid.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Report on petition of David Ferrier (referred to-day) for permit for child under fifteen years of age to appear at Odd Fellows Hall on January 1, 1912—that a permit be granted.

Report accepted; permit granted on the usual conditions.

(2) Report on communication from Forest Hills Citizens' Improvement Association (referred October 30) for playground at Forest Hills—that the same be placed on file.

Report accepted; paper placed on file.

(3) Report on message and order (referred to-day) transferring $15,000 for Playground, Ward 25—that the order ought to pass.

The report was accepted.

Coun. SMITH—Mr. President, may I ask to have that read again?

The report and order were re-read.

Coun. HALE—Mr. President, on this and all these other transfers for playgrounds I am going to vote "no" for the same reason that I voted no on the earlier transfers, because, although I am in favor of the improvements, I am against the method of financing them. For the benefit of Coun. McDonald I shall not go at length into my reasons. (Laughter.)

The order was passed, yeas 6, nays, 2, Coun. HALE and SMITH voting nay.

President COLLINS—The order will take its second and final reading and passage not less than two weeks from to-day.

(4) Report on message of Mayor and order (referred October 30) for transfer of $20,000 for shelter and boat landing at Jamaica Pond—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

President COLLINS—Since this order does not contemplate the purchase of any property the order has taken its first and final reading and passage.

(5) Report on message of Mayor, communication and order (referred to-day) for transfer of $24,000 for bath house at Dewey Beach—that the order ought to pass.

The question came on the acceptance of the report and passage of the order.

Coun. SMITH—Mr. President, this $24,000 makes $44,000 this year for this one purpose. I don't know how much more has been appropriated in past years for the same purpose. It seems to me that this is an entirely and unduly large amount for this purpose. We have no specifications before the Board as to how the money is to be spent and I strongly object personally to voting for money to be spent by any department in a way we know nothing about. I, therefore, am going to vote against this. It makes no difference whether it comes from loan or appropriation, in this matter. My vote is entirely regardless of that question, simply on the ground that we have already appropriated $20,000 this year, that $44,000 is a very large amount to appropriate, that it is an extraordinary amount to appropriate without any definite specifications as to how the amount is to be spent. I have no reason, and this Board has no reason to judge that this is all we shall be asked for for this purpose. It may very well be that the department has plans under way demanding $20,000 or $30,000 more for this very purpose. It seems to me we are appropriating this money absolutely in the dark, and therefore I am going to vote against it.

The report was accepted and the order passed, yeas 6, nays 2.

President COLLINS—This is the first and final reading and passage of the order.

(6) Report on order (referred to-day) that the Street Commissioners submit an estimate of cost of extending Shawmut avenue to Washington street, Roxbury—that the order ought to pass.

Report accepted; order passed.

(7) Report on message of Mayor and order (referred to-day) that the Art Commission be authorized to expend not more than $250 for memorial tablet on home of the late George Francis Parkman—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(8) Report on order (referred to-day) that no sidewalks or edgestones be laid unless with consent of the majority of the abutters—that the order ought to pass.

Report accepted; order passed.

(9) Report on order (referred to-day) to suspend laying of granolithic sidewalks on both sides of Minot street, Dorchester, until the abutters are heard—that the order ought to pass.

Report accepted; order passed.

(10) Report on message of Mayor and order (referred to-day) transferring $3,000 for appropriation for automobile ambulances—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(11) Report on message and order (referred to-day) for transfer of $9,000 to special appropriation for Dorchester North Burial Ground—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(12) Report on message of Mayor and order (referred to-day) for transfer of $2,200 to appropriation for East Boston District Court, Temporary Quarters—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(13) Report on message of Mayor and order (referred to-day) transferring $10,000 for Mystic Playground, sea wall and fence—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(14) Report on message of Mayor and order (referred to-day) transferring $6,000 for floating bath house, Fort Point channel—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

(15) Report on message and order (referred October 9) transferring $25,000 for playground in Ward 23—that the order ought to pass.

The question came on accepting the report and passing the order.

Coun. SMITH—Mr. President, I am going to vote against this for two reasons. The first reason is the general one that I believe the purchase of land should be made by loan. I hardly need talk on that, because the Council has come to appreciate that point and the Chair himself recognizes it, because every time we add to city property the Chair states that the order is to have two readings, and every time, as has been illustrated at this meeting, when we do not add to the city's property the Chair states that only one reading is necessary—clearly defining the difference between the city's property and an appropriation that is just made for running expenses. But aside from that entirely. the second reason that I am not going to vote for this is that I believe we should provide some amount of money for the improvement of the existing playgrounds in the city and for the superintendence of those playgrounds. I believe we are going ahead and spending an undue amount of money this year for new playgrounds and leaving the existing playgrounds in an abominable condition. In comparison with Chicago our playgrounds are not fit to be used. That is true of almost all of them, and I sincerely hope that some of these appropriations for new playgrounds will be reconsidered by this body. We ought in the near future to take up the consolidation of departments, and immediately when that is put through, if it does go through, we ought to bring in appropriations for superintendence of playgrounds and for improvement of playgrounds that already exist, and we may then find ourselves in a position when there will be no money available in the Reserve Fund for that important work. After the consolidation is brought about we will be too poor to properly develop our playgrounds. That is my second reason for voting against this appropriation.

The report was accepted, and the order was given its first reading, yeas 6, nays 2, Coun. HALE and SMITH voting nay.

President COLLINS—The order will take its second reading and passage not less than two weeks from to-day.

(16) Report on message and order (referred to-day) that the Fire Commissioner be authorized to sell to the highest bidder three unused fire-alarm bells—that the order ought to pass.

Report accepted; order passed.

(17) Report on message and communication (referred October 30) relative to violation of eight-hour law in Fire Department—that the same be placed on file.

Report accepted; papers placed on file.

APPROPRIATION FOR SUPREME JUDICIAL COURT.

President COLLINS offered an order—That in addition to the amount heretofore allowed for clerical assistance in the office of the clerk of the Supreme Judicial Court the said clerk be authorized to expend the further sum of $750 for the year 1911–12; said sum to be charged to the appropriation for Supreme Judicial Court.

Passed; yeas 8, nays 0.

FIRE HOUSE, PARKER HILL.

Coun. McDONALD offered an order—That the Fire Commissioner be requested, through his Honor the Mayor, to furnish the City Council with information as to the disposition of the sum appropriated for house and apparatus on Parker Hill.

Coun. McDONALD—Mr. President, early last spring the Council appropriated $15,000 for a hose and combination truck, combination piece of apparatus, on Parker Hill. The result has been the same as in the case of a lot of other appropriations passed last spring. No action has been taken on it. The people of that section want to know what has become of the money available or why the Fire Commissioner or the Mayor has not bought that piece of apparatus. I think it is pretty nearly time that the members of the Council found out what is happening to loan orders passed eight or nine months ago.

The order was passed.

REPAVING OF CHARLES STREET.

Coun. SMITH offered an order—That the Commissioner of Public Works, through his Honor the Mayor, be requested to repave in permanent manner Charles street from Beacon street to Cambridge street.

Coun. SMITH—Mr. President, my reason for bringing this up is that Charles strect has been paved permanently from Park square to Beacon street, and this merely proposes a continuation of the same pavement. It will simply be a part of the crosstown thoroughfare that is proposed for traffic when Pleasant street is widened, being intended for heavy teaming.

The order was passed.

THE NEXT MEETING.

Coun. KENNY—Mr. President, I move that when the Council adjourns it be to meet two wecks from to-day at three o'clock.

Coun. McDONALD—Mr. President, I amend the motion, that we adjourn to meet a week from next Friday at three o'clock. A week from to-day is Christmas and two weeks from to-day New Year's Day, and some of us are going away for New Year's Day. Friday will be only two days earlier. I make that as an amendment.

Coun. KENNY—Mr. President, I care nothing about a day or two and am quite willing to meet the suggestion of my friend on the left in that respect, other than this, that these orders read to-day, if they are not acted on at the next meeting, go over until a still further meeting. Now, if our next meeting is within two weeks they cannot be acted upon, as fourteen days must intervene between readings. I would like to say in that connection that this afternoon we passed a loan order for a municipal building, South Boston, giving it its first reading. I suppose, however, in a case where the Board takes affirmative action on a matter that is to have two readings it is not so important that we should again meet within a certain time. That is to say, where a loan order from the Mayor is pending it becomes effective within sixty days if we do not act upon it. But if the Council acts at any time within sixty days affirmatively the time elapsing between the first and second readings practically makes no difference. Of course, the importance of having subsequent meetings within a certain time suggests itself where we wish to reject an order, but when we have already given an order its first reading the sixty-day provision has no practical application, it making no difference whether the order becomes effective by time or through second reading and passage. I merely make that point. I have no objection to the gentleman's amendment.

Coun. McDonald's amendment prevailed, and the Council voted that when it adjourned it would be to meet on Friday, December 29, at 3 p. m.

Coun. HALE—Mr. President, in view of that action I would like to move that the time for the hearing upon the Brighton Playground be changed from two o'clock two weeks from to-day to two o'clock a week from Friday.

Coun. KENNY—Mr. President, I think that is a very fair and proper suggestion.

President COLLINS—The Chair would state that that motion made by Coun. Hale is a matter properly within the province of the Executive Committee. Of course, by unanimous consent, that motion may be made here. Is there any objection?

There being no objection, it was voted that the hearing on the Brighton Playground be on Friday, December 29, at two o'clock p. m.

GENERAL RECONSIDERATION.

Coun. BALLANTYNE moved a general reconsideration. Lost.

Adjourned at 7.07 p. m., on motion of Coun. BALLANTYNE, to meet on Friday, December 29, at three o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Wednesday, December 27, 1911.

Special meeting of the City Council, held in the Council Chamber, City Hall, at 1.45 o'clock p. m., for the purpose of drawing jurors, President COLLINS in the chair and a quorum present.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894 (the Mayor being present), viz.:

Two hundred and seventy-five traverse jurors, Superior Criminal Court, to appear January 15, 1912:

George A. Locke, Ward 16; Samuel B. Dean, Ward 17; Nicholas J. Mulcahy, Ward 14; Arthur T. Otis, Ward 20; Edward B. Woods, Ward 20; Samuel E. Horton, Ward 21; William Hartford, Ward 22; Horace E. Sherman, Ward 16; Charles A. Peirce, Ward 20; John B. Ridgeway, Ward 17; Jefferson W. Grover, Ward 10; Edward C. Fielding, Ward 24; Frank E. Peabody, Ward 11; Albert J. Gear, Ward 15; Herbert F. Ghen, Ward 10; Ernest A. Simpson, Ward 12; William H. Ward, Ward 23; William J. Flanagan, Ward 11; Andrew J. Daly, Ward 14; John J. Higgins, Ward 1; Edwin B. Orcutt, Ward 25; David W. Edwards, Jr., Ward 21; Henry E. Starr, Ward 21; Charles W. Webster, Ward 20; Michele Russo, Ward 6; John B. Archibald, Ward 23; Harold S. Eagles, Ward 12; Paul O. Boettcher, Ward 10; John H. McDevitt, Ward 21; William F. Sterrett, Ward 16; James B. Philbrick, Ward 16; Frank R. Neal, Ward 23; David McDonald, Ward 24; Patrick J. Guinan, Ward 18; Joseph Lawrence, Ward 2; Thomas E. Johnson, Ward 10; Daniel J. Murphy, Ward 17; Joseph Enos, Ward 3; Henry M. Carey, Ward 25; Percy L. Hinds, Ward 24; Thomas Russell, Ward 25; Geoffrey M. Kendall, Ward 20; Evarts B. Mayhew, Ward 10; George H. Jeffrey, Ward 5; Franklin P. Gurney, Ward 1; Edward L. Maguire, Ward 1; John J. Waters, Ward 12; Leman I. Conohan, Ward 1; Louis Hoffman, Ward 8; William E. Steele, Ward 17; August L. Sherer, Ward 18; William A. Wood, Ward 24; Harry L. Porter, Ward 22; John T. Cashman, Ward 14; John A. Roessler, Ward 23; Frank Bachoff, Ward 18; Patrick H. Graham, Ward 16; Edgar L. Packard, Ward 12; Arthur H. Tripp, Ward 24; James J. Heggie, Ward 21; Edward J. Mooney, Ward 18; Waverley T. Wonson, Ward 23; William J. Tood, Ward 2; Charles Caldara, Ward 5; Thomas E. McCormick, Ward 14; Henry J. Whiton, Ward 25; George M. Ingalls, Ward 20; Arthur L. Browne, Ward 23; Henry A. Savage, Ward 12; Arnold Pick, Ward 21; Clarence G. Croll, Ward 11; Joseph M. Lane, Ward 16; Alfred Svansson, Ward 19; Fred L. Crocker, Ward 11; Henry C. Thomas, Ward 20, Clifford M. Babson, Ward 24; William C. Anderson, Ward 20; John W. Twombley, Ward 20; Frank R. Hooker, Ward 14; Charles A. Comerford, Ward 14; Morris Simons, Ward 16; Daniel J. Morse, Ward 16; James J. Hooley, Ward 17; Charles Denison, Ward 11; Stephen F. Cheney, Ward 15; Peter F. Tague, Ward 3; Max Zeigler, Ward 19; Henry W. Lamb, Ward 12; John B. Goodman, Ward 19; Roderick MacDonald, Ward 25; Albert H. Dimond, Ward 4; Freeman H. Washburn, Ward 12; Patrick J. O'Connell, Ward 18; Edward J. Trainor, Ward 17; Albert F. Higgins, Ward 25; George W. Raymond, Ward 22; Edward J. Curley, Ward 23; Jacob Samsel, Ward 22; Thomas F. O'Donnell, Ward 20; Michael R. Donahoe, Ward 9; James H. Nolan, Ward 14; Charles R. Deeterich, Ward 12; John M. Leonard, Ward 2; Frank H. Rice, Ward 20; Homer F. Cass, Ward 4; Joseph F. Wolff, Ward 19; Wilbur F. Wyman, Ward 20; Mark P. Campbell, Ward 20; Charles E. Hunt, Ward 24; Frederick Kussmaul, Ward 22; Aloys J. Bosse, Ward 21; John H. O'Connor, Ward 16; Timothy Hayes, Ward 8; William J. Coughlan, Ward 5; Walter F. Dove, Ward 23; Maurice F. Miller, Ward 24; William Hertenstein, Ward 22; Victor Rosenthal, Ward 15; Edward Scott, Ward 20; Henry R. Williams, Ward 20; Jake Slosberg, Ward 22; Leslie E De Voe, Ward 24; Samuel M. Plummer, Ward 10; Benjamin L. Whelpley, Ward 10; Michael Foley, Ward 23; Patrick J. Sullivan, Ward 5; William A. Kibble, Ward 5; John M. Delano, Ward 24; Frederick M. Park, Ward 4; Abram C. Doyle, Ward 5; Arthur E. Turner, Ward 19; John Dummler, Ward 15; F. Oswald Fiedler, Ward 21; Lewis G. Flagg, Ward 11; Henry C. Cook, Ward 14; Alfred Beck, Ward 22; Carl F. Ludwig, Ward 22; Edward F. Burke, Ward 13; Frederick W. Schneider, Ward 22; Joseph Kolsky, Ward 21; Walter F. Watters, Ward 11; George W. Speirs, Ward 10; John T. McCarthy, Ward 5; William F. Tennihan, Ward 6; Edward Norton, Ward 22; John J. Kelley, Ward 19; John Brown, Ward 22; Edward N. Hugo, Ward 17; Edgar K. Brown, Ward 19; Timothy S. Carroll, Ward 24; William E. Jackson, Ward 24; James L. Kane, Ward 21; Thomas R. Rawson, Ward 1; Elmer A. Jones, Ward 20; John F. Maloney, Ward 24; Saul M. Saloman, Ward 10; Ernest A. Cressey, Ward 20; Philip H. Fahey, Ward 1; Thomas W. Holmes, Ward 8; George P. Hamlin, Ward 11; Hugh Blair, Ward 19; Thomas J. Reidy, Ward 1; Charles E. Grover, Ward 16; Daniel J. Desmond, Ward 19; Herman L. Stearns, Ward 20; Oscar Lefevre, Ward 22; Philip H. Ripley, Ward 6; Martin E. FitzGerald, Ward 14; Richard S. Tank, Ward 23; Charles Mintz, Ward 18; Percival W. Elliott, Ward 17; Matthew P. Lynch, Ward 16; George S. Stockwell, Ward 10; John Ryan, Ward 4; Peter G. Alexander, Ward 17; Ralph A. Quimby, Ward 24; John J. Driscoll, Ward 17; Andrew W. Wallace, Ward 24; Edward Walpole, Ward 10; Daley Williams, Ward 3; William Jennewein, Ward 22; William D. Austin, Ward 19; Robert H. Billings, Ward 20; George S. Shaw, Ward 23; Fred Gruring, Ward 10; Seth H. Smith, Ward 12; John A. G. McPhaill, Ward 2; John W. Gardner, Ward 13; Charles H. Tibbets, Ward 11; John F. Wynne, Ward 2; John Black, Ward 3; John A. Smith, Ward 6; William A. Rogers, Ward 13; Augustus J. Keaton, Ward 18; Phineas J. Stearns, Ward 25; George F. Bowen, Ward 3; Roy C. Totman, Ward 24; Neil F. Young, Ward 10; John W. Norton, Ward 18; Gustaf Ecklund, Ward 22; Edward T. Wise, Ward 12; John N. Jowett, Ward 24; George F. Anderson, Ward 4; George F. Salisbury, Ward 25; Frank J. Hannon, Ward 14; Charles O. Stevens, Ward 1; John W. Buckley, Ward 4; Albert N. Brown, Ward 2; William H. Cadigan, Ward 12; Ira W. Paterson, Ward 22; James J. O'Connor, Ward 19; Jerry Driscoll, Ward 19; John A. Emery, Jr., Ward 4; Harry P. Fay, Ward 23; Andrew Seidel, Ward 23; John Wilkinson, Ward 19; James F. Dailey, Ward 23; John W. McKey, Ward 16; Joseph Freedman, Ward 8; Patrick McDonnell, Ward 3; Warren G. Veazie, Ward 16; James H. Downey, Ward 5; Patrick J. Burns, Ward 25; James J. O'Reilly, Ward 23; Fred P. Von Olker, Ward 10; Bernard H. Ruemker, Ward 19; Donald M. Blair, Ward 21; Philip M. Brunet, Ward 17; Michael Fallon, Ward 8; Cornelius J. Crowley, 2d, Ward 5; Augustus A. Maier, Ward 23; F. Howard Walch, Ward 1; Bernhard Blasig, Ward 20; Ashley K. Hayden, Ward 20; Charles J. Williams, Ward 22; William R. Templeman, Ward 10; Joseph A. Locke, Ward 15; Albert F. Ripley, Ward 24; Joseph Gladbach, Jr., Ward 19; Harry Russell Lowd, Ward 24; William Benson, Ward 14; Edmund J. J Doyle, Ward 20; John J. McNamara, Ward 21; Thomas F. Finneran, Ward 1; Isador C. Frieh, Ward 24; Chandler Garland, Ward 10; John Nelson, Ward 4; George S. Clark, Ward 11; George Watson, Ward 14; Isaiah H. Paine, Ward 10; William J. Sullivan, Ward 1; John Leary, Ward 24; John F. Hartigan, Ward 24; John Nelson, Ward 9; Ralph F. Whitehead, Ward 16; Andrew W. Phillips, Ward 20; Patrick McQuade, Ward 15; Frank J. Orcutt, Ward 24; John J. Sullivan, Ward 7; Arthur C. Clark, Ward 20; Charles E. Mossey, Ward 25; Andrew D. Foley, Ward 3; Ceraphin F. Prince, Ward 15; Peter E. Richardson, Ward 9; Charles E. Lord, Ward 21; Frank W. Gilman, Ward 20; William E. Danforth, Ward 20; Hugh V. Markey, Jr., Ward 23; James Maguire, Ward 4; Harrie W. Jacobs, Ward 24; James Grant, Ward 22; Francis G. Mayo, Ward 22; Joaquin Ferreira, Ward 2; Daniel F. Donovan, Ward 15; William E. Moran, Ward 20.

Adjourned at 2.35 p. m.

Public Printing Trades Union Label Council Boston Mass

Wednesday, December 27, 1911.

Meeting of the City Council in the Hearing Room, City Hall, at 7.30 o'clock p. m., President COLLINS in the chair and all the members present.

The meeting was held for the purpose of giving a hearing on the subject of the proposed contract with the Boston Development and Sanitary Company for the disposal of refuse for a period of ten years from July 1, 1912.

Edward F. McClennen, Esq., appeared and presented the case of the Boston Development and Sanitary Company; and George W. Anderson, Esq., appeared for the Boston Disposal Company, the next lowest bidder, in objection to the making of the proposed contract.

Commissioner of Public Works, Louis K. Rourke, made a statement of the situation preceding and leading up to the proposed contract.

Judge Louis M. Clark, as a citizen of Dorchester, appeared and objected to a possibly undesirable use of Spectacle Island and of a wharf in Dorchester, in connection with the disposal of garbage.

Edward F. McClennen, Esq., stated the position of the Boston Development and Sanitary Company, the proposed contractors.

Francis R. Bangs,, Esq. and Mr. Henry E. Hagan, for the Boston Chamber of Commerce, appeared in favor of the proposed contract with the Boston Development and Sanitary Company, on the ground that it was the lowest and the best contract for the city to make, and, in support of this ground, an analysis was submitted by the Chamber of Commerce.

Representative Charles L. Carr, of Dorchester, stated that he and a number of other citizens of Dorchester appeared in objection to any plan which might mean a nuisance to Dorchester through the use of Spectacle Island and that, the hour being late, they would like to be heard at a subsequent hearing.

It was voted, at 11.28 p. m., to continue the hearing to Wednesday, January 3, at 1 p. m.

Adjourned.

CITY OF BOSTON.

Proceedings of City Council.

Friday, December 29, 1911.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair and all the members present.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the last two meetings.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, December 28, 1911.

To the City Council:

Subject to confirmation by your honorable body, I hereby appoint the following-named persons Weighers of Coal, all for the term ending April 30, 1912: A. Bertocchi, 82 Quincy street, Ward 16; Fred H. Gage, 29 Gale street, Malden; Gershon Greisdoff, 143 Paris street, Ward 2; Harold B. Hunting, 39 Knollin street, Malden; and Hattie B. B. Randall, 144 Erie street, Cambridge.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Laid over under the law.

RETIREMENT OF GEORGE H. NASON.

The following was received:

City of Boston,
Office of the Mayor, Decemher 27, 1911.

To the City Council:

The accompanying letter from Judge A. Nathan Williams of the Roxbury Court, recommending the retirement of Captain George H. Nason, an officer of the court, under the provisions of chapter 459 of the Acts of 1910, meets with my approval and I recommend the passage of the accompanying order, retiring Captain Nason on half pay and charging the expense to the appropriation for the Roxhury Municipal Court.

Attached hereto are the documents in the case, embracing an application from Captain Nason, a certificate of honorable discharge, a statement of his physical condition and the recommendation of the justice of the court.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

December 26, 1911.

To the Mayor and City Council of the City of Boston Sitting as County Commissioners of the County of Suffolk:

I suhmit herewith the application for retirement of Capt. George H. Nason, a veteran of the Civil War, who has been continuously employed in the Municipal Court of the Roxhury District of the City of Boston, as court officer, since August 1, 1895.

He has reached the age of seventy-six years and is now incapacitated for active duty.

I recommend his retirement to date from January 1, 1912, his present salary being $1,200 per year.

A. NATHAN WILLIAMS,
Justice of the Municipal Court of the Roxbury District of the City of Boston.

—

Retirement consented to.

Governor.

—

December 22, 1911.

Hon. A. Nathan Williams,
Judge of Roxbury Municipal Court,
Roxhury, Mass.:

Dear Sir,—This is to certify that, from observation of the physical condition of Capt. George H. Nason, an officer of the Roxhury Municipal Court, extending over a period of ten years and from several recent physical examinations, viz., April, July, Novemher and December, 1911, I find evidence of degenerative changes in heart, lungs and kidneys of a steadily progressive nature, together with signs of arteriosclerosis, as shown by increased hlood pressure, shortness of breath, swelling of the feet and alhuminuria.

In view of these findings, together with his age, there is no question in my own mind but that he is a fit subject for retirement on account of physical infirmities.

Very truly yours,
ALMON D. HODGES, M. D.

The Warren, Roxbury.

—

Ordered, That under the provisions of chapter 459 of the Acts of 1910, George H. Nason, an officer of the Roxhury Municipal Court, he retired from active service at one-half the rate of compensation paid him when in active service, and that the expenses incurred under this order be charged to the appropriation for County of Suffolk, Municipal Court, Roxbury District.

The communication was declared referred to the Committee on County Accounts.

Coun. BALLANTYNE—Mr. President, I move reconsideration of the reference and ask a suspension of the rule so that this order may take its passage now.

Coun. CURLEY—Mr. President, I will say to the councilor that I am perfectly agreeable to having the Committee on County Accounts consider this while we are in executive session and report to-day.

Coun. BALLANTYNE—All right. I withdraw my motion.

The communication stood referred to the Committee on County Accounts.

ELEMENTARY SCHOOL, DWIGHT DISTRICT.

The following was received:

City of Boston,
Office of the Mayor, December 28, 1911.

To the City Council:

I transmit herewith a communication from the secretary of the School Committee, with inclosure, containing an answer to your order requesting a report on the advisability of establishing an elementary school of the upper grades in the Dwight District.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Boston School Committee, Secretary's Office,
Mason Street, December 21, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—At the meeting of the School Committee on Novemher 6, 1911, an order was received from the City Council requesting this Board, through your Honor, to consider and report on the advisahility of estahlishing an elementary school of the upper grades in the Dwight District, which was referred to the superintendent.

At the recent meeting of the Board held on Monday, December 18, 1911, a report was received from the superintendent with reference to the estahlishment of such a school, and as directed hy the Board I transmit herewith a copy thereof to the City Council through your Honor.

Very truly yours,
THORNTON D. APOLLONIO, Secretary.

—

City of Boston,
In School Committee, December 18, 1911.

To the School Committee:

In answer to your order of November 6, 1911, requesting a report with reference to the inquiry transmitted from the City Council as to the desirability of estahlishing an elementary school, upper grades, in the Dwight District, I desire to report as follows:

The upper grades in the Dwight School are satisfactorily accommodated in the present building. There are three portables assigned to the Dwight District for use in the primary grades, one of which is not now in use.

The proposition to enlarge the Joshua Bates School has been under consideration. Owing to

the fact that the number of pupils in the Dwight District has decreased this year, it seems desirable to delay final action until it has been determined whether this decrease will continue.

Respectfully submitted,
STRATTON D. BROOKS,
Superintendent of Public Schools.

Placed on file and a copy thereof ordered to be sent to the City Council through his Honor the Mayor.

A true copy.
Attest:

THORNTON D. APOLLONIO, Secretary.

Placed on file.

BETTERMENT ASSESSMENTS, ARLINGTON STREET EXTENSION.

The following was received:

City of Boston,
Office of the Mayor, December 29, 1911.

To the City Council:

In compliance with the request of the City Council, passed at its meeting of December 18, which asked me to confer with the street commissioners and the officials of the New York, New Haven & Hartford Railroad relative to any offset and contribution by said railroad company with respect to the carrying out of the project for the extension of Arlington street from Boylston street to Columbus avenue at a width of 70 feet, I have held conferences with these officials and inclose two letters from Mr. Laurence Minot. These communications promise in substance that the New York, New Haven & Hartford Railroad will pay betterment assessments to the amount of two hundred and fifty thousand dollars ($250,000) and will accept as the net award of damages to their property on Boylston street the sum of one hundred thirty-one thousand five hundred and fifty dollars ($131,550), which is the difference between this assessment and the price which they paid for their Boylston street estates.

In other words, the railroad company has agreed to pay for the Arlington street improvement alone almost as much as it previously offered for this improvement when combined with the widening of Ferdinand street. The cost of the Arlington street improvement is estimated by the Street Commissioners as six hundred and thirteen thousand dollars ($613,000). Deducting the contribution of the railway company, the initial cost will be not more than three hundred and sixty-three thousand dollars ($363,000). Against this must be offset further betterments which can be assessed upon the adjoining estates. The assessable portion of the railroad property is estimated at 90,000 square feet and there are about 18,000 square feet of other property within the 125 foot limit. Should these remaining parcels be assessed at the rate of assessment placed upon the property of the railroad, which is something under three dollars ($3) a square foot, the city could collect about fifty thousand dollars ($50,000) more, and this would still further reduce the actual, though not the initial cost to the city, bringing the net cost of the entire improvement down to a little more than three hundred thousand dollars ($300,000).

While it is true that the New York, New Haven & Hartford Railroad would probably benefit substantially by the extension of Arlington street, it seems to me that it is an important and indeed a necessary step in the opening up of this great territory, the aspect of which for many years has been barren and uninviting. The outlay is certain to be returned to the city in taxes upon increased valuations within a very few years. At the present time business is vainly trying to extend itself on both sides of the obstacle created by this great undeveloped tract, but it is needless to remind you that the results, both on Boylston street and Columbus avenue, have been disappointing.

The borrowing capacity of the city is ample to meet this burden and I recommend, therefore, the passage of the accompanying loan order, appropriating the sum of four hundred thousand dollars ($400,000) to be expended by the Board of Street Commissioners for the extension of Arlington street.

Yours very truly,
JOHN F. FITZGERALD, Mayor.

December 27, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Mr. John C. Kiley, acting on your behalf, has informed me that you propose to recommend to the City Council a loan for an extension of Arlington street as far as Columbus avenue, and that you desire for your own information and for that of the Council to know the attitude of the New York, New Haven & Hartford Railroad Company with respect to the damages it may sustain by reason of such extension and with respect to the betterments it may be willing to pay.

The railroad company has placed the development of the real estate affected by this extension in the hands of a committee, consisting of Messrs. Amory A. Lawrence, Alfred Bowditch and myself. While any formal agreement with the city would probably require a vote of the Board of Directors, I have no doubt the directors would ratify any action which this committee may recommend in the matter.

On consultation with the other members of the committee, I find they are willing to make this recommendation:

If the city will lay out an extension of Arlington street from Boylston street to Providence street at a width of approximately sixty-nine feet, and from Providence street to Columbus avenue at a width of seventy feet, in accordance with a plan already approved as respects that portion between Providence street and Columbus avenue by the Street Commissioners and by yourself, such laying out to be made at some time prior to February 1, 1912, and if the city will construct the street as so laid out, in so far as the same is not already constructed, as soon as reasonably may be after such laying out, and if the city will pay as damages for the taking of the estates 314 and 318 Boylston street, commonly known as the Peters and Rothwell estates, and for the land required for the extension of Arlington street at a width of 70 feet from Columbus avenue to Providence street, in accordance with a plan prepared by Aspinwall & Lincoln, civil engineers, dated February 17, 1910, and now on file in the office of the Street Commissioners, the sum of three hundred eighty-one thousand five hundred and fifty dollars ($381,550), the railroad company will pay as a betterment to such of its real estate as may be benefited by such laying out and construction such sum, not less than two hundred six thousand five hundred and fifty dollars ($206,550) and not more than two hundred and fifty thousand dollars ($250,000), as may equal its fair proportion of the betterment which can be assessed under existing law on all the property benefited by such laying out and construction, to be determined by the Board of Street Commissioners after a hearing to be granted the railroad or its representatives. The committee will further recommend that the betterment be paid in full to the city contemporaneously with the payment to the railroad company of damages for its property taken.

In view of the necessity for formulating and executing definite plans for the developing and marketing of the company's lands, the committee cannot recommend to the directors that they accept and confirm the foregoing except upon the condition that the extension of Arlington street be made by the city prior to Feburary 1, 1912.

I refer you to my letter of October 30, 1911, for a statement of the cost and assessed value of the railroad's land involved in the taking.

Yours truly,
LAURENCE MINOT.

December 29, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Referring to my letter of December 27, 1911, in regard to the proposed extension of Arlington street to Columbus avenue, I note that the Street Commissioners are of opinion that the railroad company's fair proportion of the betterments to be assessed amounts to two hundred and fifty thousand dollars ($250,000), and, as stated in my previous letter, we are prepared to accept their decision.

Further than this the committee have nothing to add to the statements contained in my previous letter.

Yours truly,
LAURENCE MINOT.

Ordered, That the sum of four hundred thousand dollars ($400,000) he and hereby is appropriated to be expended hy the Board of Street Commissioners for Arlington Street Extension, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue bonds or certificates of indehtedness of the city to said amount.

Referred to the Committee on Finance.

FOOTBRIDGE, DALTON STREET.

The following was received:

City of Boston,
Office of the Mayor, Decemher 28, 1911.

To the City Council:

I transmit herewith a communication from the Commissioner of Puhlic Works, in reply to the order passed at the meeting of your honorahle body held Decemher 18, 1911, to the effect that "the Commissioner of Public Works he requested, through his Honor the Mayor, to inform the City Council as to what work has heen done in the matter of huilding a foothridge on Dalton street, bonds having heen issued for said work in January, 1910."

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Works Department,
Bridge and Ferry Division,
December 27, 1911.

Mr. L. K. Rourke,
Commissioner of Public Works:

Dear Sir,— At a meeting of the City Council on December 18, 1911, the following order was passed:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to inform the City Council as to what work has been done in the matter of building a foothridge on Dalton street, bonds having been issued for said work in January, 1910."

Upon this matter I beg leave to submit the following report:

In 1909 an appropriation of $10,000 was made for a footbridge from Dalton street to Boylston street, Ward 10, the appropriation to be expended under the Street Department, Bridge Division.

Plans were prepared for a foothridge on the shortest line from Boylston street to Dalton street, crossing the Boston & Alhany Railroad yard on a continuation of the westerly line of Hereford street at a point just east of signal tower No. 7. On Novemher 16, 1909, a plan was prepared by the Street Laying Out Department for a taking 12 feet in width across the railroad yard in accordance with this design.

The hridge as thus proposed could have been built within the appropriation of $10,000. Ohjection to the proposed location of the hridge was raised by the Boston & Alhany Railroad Company and a conference on the matter was held in January, 1910, hetween the late City Engineer, Mr. Jackson, and Mr. F. B. Freeman, Chief Engineer of the railroad company. As a result of this conference Mr. Freeman agreed to furnish a plan showing under what conditions a bridge could be built at this point which would he acceptable to the railroad company.

Such a plan was furnished hy Mr. Freeman on April 8, 1910. It called for a hridge of greatly increased span, located at a point considerahly to the east of the location proposed by the city, the northerly end of the hridge heing some distance to the east of the easterly line of Hereford street and the hridge heing placed at right angles to the main line tracks of the Boston & Albany Railroad, instead of at right angles to Boylston street. Furthermore, the railroad company proposed as a condition that the hridge should he made of sufficient strength to carry signal apparatus of the railroad.

Owing to the increased length of span and greater strength required of the hridge and more expensive foundations, it is found impossible to build a bridge under the conditions imposed by the railroad company, within the original appropriation of $10,000, and to carry out the work on these lines will require an additional appropriation of $10,000 for construction. The use of the bridge for signal purposes should offset any claim for damages on the part of the railroad.

No additional appropriation has yet been recommended by this department as, judging by the ahsence of all inquiries on the matter, there is no considerable public demand for a bridge at this point.

Respectfully yours,
FREDERIC H. FAY,
Division Engineer.

Referred to the Executive Committee.

PASSAGEWAY OFF BEACON STREET.

The following was received:

City of Boston,
Office of the Mayor, December 29, 1911.

To the City Council:

I recommend the passage of the accompanying order transferring the sum of twenty-five hundred dollars ($2,500) from the Reserve Fund to a special appropriation to be expended under the direction of the Board of Street Commissioners for Passageway, Beacon and Blandford streets.

The unfortunate topography of Blandford street makes it impossible to extend it over the railroad to Beacon street and this compels persons who desire to proceed from the district west of Blandford street to Commonwealth avenue to make a detour of ahout fifteen hundred feet. In particular, the congregation of the Temple Adath Israel is inconvenienced, as well as those who may have business with the automobile houses that are now going up in that section. It is estimated that a strip can be taken at the point where Blandford street comes nearest to Beacon street and that a flight of stone steps can be built at a very moderate cost. As there is no prospect of a full street connection this is the most practicable suhstitute therefor, and in my opinion the convenience of the public requires that the connection should be made.

Plans of the district showing the location of the proposed improvement are attached hereto for the information of your honorable hody.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor he and herehy is authorized to transfer the sum of twenty-five hundred dollars ($2,500), to be expended under the direction of the Board of Street Commissioners for "Blandford and Beacon Streets, Passageway."

Coun. BALLANTYNE—Mr. President, I move a suspension of the rule that the order may be placed upon its passage. The matter has been informally before the Executive Committee and I think the members of the Council are ready to vote on it.

The rule was suspended, and the question came on the passage of the order.

Coun. BUCKLEY—Mr. President, I should like to ask the gentleman, through the Chair, why we should suspend the rule on this particular order.

Coun. BALLANTYNE—Mr. President, as I understand it his Honor the Mayor is anxious to get at this work at once. It is getting near the end of the year, and I think it would be just as well to suspend the rule and place the order upon its passage.

Coun. BUCKLEY—Mr. President, I am not opposed to this order and I shall vote in favor of it; and I am very glad that the gentleman is taking such a deep interest in what the Mayor proposes.

The order was given its first reading and passage, yeas 9.

President COLLINS—The order will take its second reading and passage not less than two weeks from to-day.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Patrick H. Riley, for compensation for damages hy leak in water pipe at 12 Mitchell street, South Boston.

Hattie D. F. Haub, to be paid for clothing torn on a receptacle for tools in parkway on Commonwealth avenue.

John W. Alden, to be paid for loss of a wagon destroyed by Ladder 13 of Fire Department.

Annie Ginsburg, to be paid for a plate glass window broken by a member of the Fire Department at 127 Chelsea street, East Boston.

John A. O'Rourke, to be paid the amount paid by him in a suit against him on account of his acts as a police officer.

Executive.

Petitions for sidewalks were received, as follows:

(Brick.)

G. L. H. Burger, 16-20 Haviland street, Ward 10.

S. W. Johnson, Eighth street, near N street, Ward 14.

Mary Haynes, 19 Spring Garden street, Ward 16.

James J. Nolan, 7–9–11 Norfolk street, Ward 21.

Andrew F. Kenney, 4 Logan street, Ward 21.

(Artificial Stone with Granite Edgestones.)

The Pureoxia Company, Norway street, at Hemenway street, Ward 10.

Edison Electric Illuminating Company, 21 Scotia street, Ward 10.

C. E. Cotting, 132 Beacon street, Ward 11.

S. W. Johnson, 202–204 N street and 1774–1776 Columbia road, Ward 14.

Hagopian Brothers, 12 Erie street, Ward 20.

Fred J. Corbett, 19–31 Hecla street, Ward 20.

J. C. Spillane, 282–288 Columbia road, Ward 20.

Charles Einstein, for permit to sell, rent or lease firearms at 20 Pleasant street, Ward 7.

Edith Guerrier, for permit for children under fifteen years of age to appear at North Bennet Street Hall, December 28.

Mrs. W. H. Marden, Jr., for permit for children under fifteen years of age to appear at Mishawum Hall, evening of January 31, 1912.

Leila P Bruce *et al.*, for sidewalks on South street, both sides, between Robert and Centre streets, Ward 23.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted by the Secretary of the Commonwealth were received.

Placed on file.

NOTICE OF APPOINTMENT.

Notice was received of the appointment by his Honor the Mayor of Elizabeth M. Needham as Trustee for Children, a copy of the same being delivered to the Civil Service Commissioners on December 19.

Placed on file.

APPROVAL OF APPOINTMENTS.

Notice was received from the Civil Service Commission of approval of appointment of John H. Dunn as Street Commissioner.

Notice was received from the Civil Service Commission of approval of appointment of Elizabeth M. Needham as Trustee for Children.

Placed on file.

NOTICE OF HEARING.

Notice was received from the Directors of the Port of Boston of hearing on December 28, at nine o'clock p. m., on petition of George C. Fitzpatrick to build and maintain a pile structure in Boston Harbor, near the easterly end of Maverick street, East Boston.

Placed on file.

KEEPING OF GASOLENE.

Notices were received from the hereinafter-named people certifying that the following-named places were used for the keeping of gasolene, and of intention to continue such use for the ensuing year, viz.:

Armstrong Transfer Express Company, Troy and Albany streets, Ward 9.

Simpson Brothers Corporation, 69–71 Proctor street, and 85 Magazine street.

Placed on file.

COSTS FOR DISPOSAL OF CITY WASTE.

The following was received:

Boston, December 27, 1911.

To the Honorable the City Council:

Gentlemen,—On December 13, 1911, you requested the Finance Commission to employ an accountant to estimate the comparative cost to the city under the bids of the lowest and next lowest bidders in the competition for the proposed ten years' contract for the disposal of city waste. The commission has employed an accountant and submits his report herewith.

The commission assumes that the City Council desired the aid of an accountant in determining how much weight, if any, should be given to the claims and promises of the second lowest bidder and the counter claims and promises of the lowest bidder; in other words, in determining whether upon any reasonable view of the known facts either alone, or in connection with the various statements of the opposing bidders, the City Council would be justified in declining to approve the award made by the Commissioner of Public Works to the Boston Development and Sanitary Company, whose bid was $1,432,000, as against the bid for $1,443,738 of the Boston Disposal Company, its nearest competitor.

In its desire to aid the City Council the commission endeavored to procure all the information available on the subject, and for this purpose held several hearings which were attended by the counsel and representatives of the respective bidders, namely, the Boston Development and Sanitary Company and the Boston Disposal Company. As a result of these hearings the commission has found that the only facts upon which the City Council can depend are these:

1. That the city would save in direct payments to the contractor $11,738, if the Boston Development and Sanitary Company should receive the contract.

2. That the city would also own the buildings and wharf to be erected by the Boston Development and Sanitary Company on Spectacle Island and have the benefit of the dredging of the channel by that company.

3. That the city would obtain some additional advantage in the saving of interest by contracting with the Boston Development and Sanitary Company, as the city's payments in the earlier years of the contract would be considerably less than the payments to the Boston Disposal Company in the corresponding years.

That as an offset to these advantages to the city resulting from the giving of the contract to the Boston Development and Sanitary Company the city would:

4. Lose the interest for ten years on the amount paid for the necessary three acres of land.

5. Lose the taxes on said three acres of land.

All of the five factors thus enumerated have been adopted by the accountant as bases of estimate; but the correctness of the amounts allowed for items herein numbered 2, 4 and 5 will probably be disputed by one or the other of the two companies. Thus the value of the structures on Spectacle Island that would belong to the city at the end of the contract with the Boston Development and Sanitary Company is set down as little or nothing by the counsel for the Boston Disposal Company. The engineer for the Finance Commission, Mr. Guy C. Emerson, estimates, however, that their value to the city as a refuse disposal plant would be not less than $75,000 at that time; and the accountant was instructed to use that figure. Likewise, conflicting claims were made as to the amount the city would have to pay for the three acres of land and the amount it would lose as interest and taxes thereon. The commission believed the minimum cost would be $10,000 and the possible maximum $50,000; and instructed the accountant to figure it on three bases, namely, $10,000, $30,000 and $50,000. The loss of taxes on the land was figured on the basis of the present assessed value as being the most practical method.

Nothing was allowed for the value to the city of the control of the situation ten years hence, through its ownership of the buildings and land, as such value is incapable of present estimate. On the other hand, the commission also excluded, as incapable of present estimate, the value to the city of the lower scale of payments to the Boston Disposal Company at the end of the contract which, it was argued, would be an advantage to the city in bargaining for a renewal of the contract ten years hence. Various other considerations which were urged before the commission seemed too vague and

conjectural to form the basis of a financial estimate; and hence were likewise excluded.

The accountant was instructed by the commission to accept the statements of the counsel for each company as to the relative gains and losses to the city in the taxable value of the buildings and equipment which each company said it would provide if it received the contract. The commission believes, however, that these statements, though apparently made in good faith, cannot be relied upon by the city for the following reasons:

1. Because neither company can be compelled by the city to provide buildings and equipment costing more than is necessary to provide adequate means of performing the work under the contract.
2. Because the depreciation on such property cannot be estimated accurately in advance.
3. Because it is impossible to foretell what value the assessors would fix as a basis of taxation.

Notwithstanding this uncertainty, the amounts stated by the counsel for each company were taken by the accountant in every instance except one, namely, the amount which it is said the city would lose in taxes on the building that is now used on Spectacle Island for garbage reduction and which, it is said, would be abandoned or converted to a less profitable use if the city's garbage should be treated elsewhere. This building is now taxed on $50,000 and the commission believed that its depreciation would probably not exceed 50 per cent. Accordingly the accountant was instructed to figure a loss of taxes on $25,000.

On the most favorable assumption to the Boston Disposal Company, namely, that the city would have to pay $50,000 for the land furnished to the Boston Development and Sanitary Company, the city would appear to be a gainer by $57,186.69 if it made the contract with the latter company. The city would also have the additional advantage of being able to control the situation ten years hence through its ownership of a plant upon its own land; an advantage which cannot now be estimated in dollars and cents, but which unquestionably would be great.

The commission believes that the question involved in this case is a simple one and that it should not be made complicated by a consideration of such speculative elements as the cost of land to the city, interest and taxes thereon, or the possible loss to the city of taxes on the more costly plant which the second lowest bidder states it would provide if it should receive the contract. There was no notice to the bidders in the invitation for bids, or the contract and specifications, that such elements would be considered. The city, without any qualification whatever, offered to furnish land to any bidder who preferred to erect his plant thereon; and it did so because it was felt that the advantage it would receive through ownership of the land would compensate it for the price it would pay for the land and the taxes thereon which it would lose through its ownership. Nor is there the slightest warrant in the notice to bidders, or the contract and specifications, that the city would attempt to add to the lowest bid the amount which a higher bidder estimated as the loss to the city in taxes on the promised excess of the taxable value of the higher bidder's plant over that of the lower bidder.

The Commissioner of Public Works has made what seems to the Finance Commission a proper decision in the case; and it should be upheld. But if the City Council views the case in the light of the elements which form the basis of the accountant's estimates, the result will also be favorable to the Boston Development and Sanitary Company.

The commission recommends that the City Council approve the award of the contract to the Boston Development and Sanitary Company.

Respectfully submitted,
THE FINANCE COMMISSION,
by JOHN A. SULLIVAN,
Chairman.

—

December 26, 1911.

Hon. John A. Sullivan, Chairman,
Boston Finance Commission:

Dear Sir,— In accordance with your request we have examined the two contracts which are now under consideration for the disposal of garbage for the City of Boston and, bearing in mind the various factors which may enter therein, would submit the following report:

In our comparison of the cost to the city of the garbage contract under the bids of the Boston Development and Sanitary Company and the Boston Disposal Company we have adopted the following method of computation:

1. Against each company is charged the annual payments by the city under the contract, and various other amounts on account of taxes or interest.
2. On the excess of the total amounts thus charged in each year against one company as compared with the other company, interest will be computed for the remainder of the contract period of ten years and such interest will be charged to the company against which such excess lies.
3. The total of said excess amounts with interest will be computed and a balance struck between the two companies as of the date of the expiration of the contract.
4. An allowance will be made for the value to the city of the buildings and other structures which will be left at Spectacle Island by the Boston Development and Sanitary Company at the termination of the contract period.

To determine the amounts to be charged against each company annually the following factors have been used:

BOSTON DEVELOPMENT AND SANITARY COMPANY.

1. The amount paid by the city each year as per contract.
2. Interest for ten years on the cost of land to be furnished by the city as a site for the contractor's plant, said interest to be computed upon three different estimates of the cost of the land, namely, $10,000, $30,000 and $50,000.
3. Loss of taxes on said land through city's ownership. Taxes estimated on three acres at present assessed value of seven cents per square foot, or $9,147.50.
4. Loss of taxes on machinery in existing garbage plant on Spectacle Island which the Boston Disposal Company states will be abandoned or removed if it does not receive the contract; said machinery now assessed on $15,000.
5. Loss of taxes on $20,000 worth of additional machinery which the Boston Disposal Company states it will install in the existing plant at Spectacle Island if it receives the contract.
6. Loss of taxes on $25,000 due to depreciation of the buildings now used on Spectacle Island for the reduction of garbage, in the event of the Boston Disposal Company's failure to procure the contract and the consequent disuse of said buildings for garbage reduction; said buildings now taxed on $50,000, estimated depreciation, $25,000; loss of taxable value, $25,000.
7. Loss of taxes on the plant and equipment which the Boston Disposal Company states it will install at East Boston if it receives the contract; estimated cost, $500,000.

BOSTON DISPOSAL COMPANY.

1. Amount paid by the city each year as per contract.
2. Loss of taxes on machinery estimated to cost $160,000, which the Boston Development and Sanitary Company states it will install at Spectacle Island, if it receives the contract.
3. Loss of taxes on plant estimated to cost $300,000, which the Boston Development and Sanitary Company states it will erect on the mainland within the limits of the City of Boston and maintain for the purpose of utilizing bottles, cans and paper.

All interest will be computed at 3.74 per cent per annum and will be at simple interest; taxes will be computed at $16.50 per thousand.

Computations as herein outlined are presented in detail in the tables hereto attached. From these tables you will see that on each estimate of the cost of land to be furnished by the city, as the basis of computation, the final result is in favor of the Boston Development and Sanitary Company.

Respectfully submitted,
EDWIN S. MORSE & COMPANY,
Public Accountants.
by EDWIN S. MORSE.

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TABLE 1.— ON A BASIS OF $10,000 AS COST OF LAND.

AMOUNTS CHARGED AGAINST EACH COMPANY FOR EACH YEAR DURING THE TERM OF THE CONTRACT, WITH YEARLY EXCESS OR DIFFERENCE.

NUMBER AND YEAR.	AMOUNTS CHARGED TO		EXCESS.	
	Boston Development and Sanitary Company.	Boston Disposal Company.	Boston Development and Sanitary Company.	Boston Disposal Company.
1912.				
1	$64,000 00	$73,866 00		
2	187 00	1,320 00		
3	75 47	2,475 00		
4	123 75			
5	165 00			
6	206 25			
7	4,125 00			
Totals	$68,882 47	$77,661 00		$8,778 53
1913.				
1	$131,000 00	$147,060 00		
2	374 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$140,764 94	$154,650 00		$13,885 06
1914.				
1	$134,000 00	$146,388 00		
2	374 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$143,764 94	$153,978 00		$10,213 06
1915.				
1	$137,000 00	$145,718 00		
2	374 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$146,764 94	$153,308 00		$6,543 06
1916.				
1	$140,000 00	$145,046 00		
2	374 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$149,764 94	$152,636 00		$2,871 06
1917.				
1	$143,000 00	$144,374 00		
2	374 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$152,764 94	$151,964 00	$800 94	
1918.				
1	$146,000 00	$143,702 00		
2	374 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$155,764 94	$151,292 00	$4,472 94	

TABLE 1.— *Continued.*

Number and Year.	Amounts Charged To		Excess.	
	Boston Development and Sanitary Company.	Boston Disposal Company.	Boston Development and Sanitary Company.	Boston Disposal Company.
1919.				
1	$149,000 00	$143,030 00		
2	374 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$158,764 94	$150,620 00	$8,144 94	
1920.				
1	$152,000 00	$142,359 00		
2	374 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$161,764 94	$149,949 00	$11,815 94	
1921.				
1	$156,000 00	$141,687 00		
2	374 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$165,764 94	$149,277 00	$16,487 94	
1922.				
1	$80,000 00	$70,508 00		
2	187 00	1,320 00		
3	75 47	2,475 00		
4	123 75			
5	165 00			
6	206 25			
7	4,125 00			
Totals	$84,882 47	$74,303 00	$10,579 47	
Totals			$52,302 17	$42,290 77

Summary.

Year.	Excess of Amounts Charged.		Interest on Excess of Amounts Charged.		Time.
	Boston Development and Sanitary Company.	Boston Disposal Company.	Boston Development and Sanitary Company.	Boston Disposal Company.	Years.
1912		$8,778 53		$3,201 09	9¾
1913		13,885 06		4,673 71	9
1914		10,213 06		3,055 75	8
1915		6,543 06		1,712 97	7
1916		2,871 06		644 26	6
1917	$800 94		$149 78		5
1918	4,472 94		669 15		4
1919	8,144 94		913 86		3
1920	11,815 94		883 83		2
1921	16,487 94		616 65		1
1922	10,579 47		98 92		0¼
Totals	$52,302 17	$42,290 77	$3,332 19	$13,287 78	
	42,290 77			3,332 19	
Net excess of amounts charged	$10,011 40				
Net excess of interest	9,955 59			$9,955 59	
Balance	$55 81				

Estimated value of buildings, wharf, etc., to be used by the Boston Development and Sanitary Company, which will revert to the city at the termination of the contract period	$75,000 00
Deduct the above balance	55 81
Balance in favor of Boston Development and Sanitary Company	$74,944 19

TABLE 2.— ON A BASIS OF $30,000 AS COST OF LAND.

AMOUNTS CHARGED AGAINST EACH COMPANY FOR EACH YEAR DURING THE TERM OF THE CONTRACT, WITH YEARLY EXCESS OR DIFFERENCE.

NUMBER AND YEAR.	AMOUNTS CHARGED TO		EXCESS.	
	Boston Development and Sanitary Company.	Boston Disposal Company.	Boston Development and Sanitary Company.	Boston Disposal Company.
1912.				
1	$64,000 00	$73,866 00		
2	561 00	1,320 00		
3	75 47	2,475 00		
4	123 75			
5	165 00			
6	206 25			
7	4,125 00			
Totals	$69,256 47	$77,661 00	.....	$8.404 53
1913.				
1	$131,000 00	$147,060 00		
2	1,122 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$141,512 94	$154,650 00	.....	$13,137 06
1914.				
1	$134,000 00	$146,388 00		
2	1,122 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$144,512 94	$153,978 00	.....	$9,465 06
1915.				
1	$137,000 00	$145,718 00		
2	1,122 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$147,512 94	$153,308 00	.....	$5,795 06
1916.				
1	$140,000 00	$145,046 00		
2	1,122 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$150,512 94	$152,636 00	.....	$2,123 06
1917.				
1	$143,000 00	$144,374 00		
2	1,122 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$153,512 94	$151,964 00	$1,548 94	
1918.				
1	$146,000 00	$143,702 00		
2	1,122 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$156,512 94	$151,292 00	$5,220 94	

TABLE 2.— *Continued.*

Number and Year.	Amounts Charged To		Excess.	
	Boston Development and Sanitary Company.	Boston Disposal Company.	Boston Development and Sanitary Company.	Boston Disposal Company.
1919.				
1	$149,000 00	$143,030 00		
2	1,122 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$159,512 94	$150,620 00	$8,892 94	
1920.				
1	$152,000 00	$142,359 00		
2	1,122 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$162,512 94	$149,949 00	$12,563 94	
1921.				
1	$156,000 00	$141,687 00		
2	1,122 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$166,512 94	$149,277 00	$17,235 94	
1922.				
1	$80,000 00	$70,508 00		
2	561 00	1,320 00		
3	75 47	2,475 00		
4	123 75			
5	165 00			
6	206 25			
7	4,125 00			
Totals	$85,256 47	$74,303 00	$10,953 47	
Totals			$56,416 17	$38,924 77

Summary.

Year.	Excess of Amounts Charged.		Interest on Excess of Amounts Charged.		Time.
	Boston Development and Sanitary Company.	Boston Disposal Company.	Boston Development and Sanitary Company.	Boston Disposal Company.	Years.
1912		$8,404 53		$3,064 71	9¼
1913		13,137 06		4,421 93	9
1914		9,466 06		2,831 95	8
1915		5,795 06		1,517 15	7
1916		2,123 06		476 41	6
1917	$1,548 94		$289 65		5
1918	5,220 94		781 05		4
1919	8,892 94		997 79		3
1920	12,563 94		939 78		2
1921	17,235 94		644 62		1
1922	10,953 47		102 41		0¼
Totals	$56,416 17	$38,924 77	$3,755 30	$12,312 15	
	38,924 77			3,755 30	
Net excess of amounts charged	$17,491 40				
Net excess of interest	8,556 85			$8,556 85	
Balance	$8,934 55				

Estimated value of buildings, wharf, etc., to be used by the Boston Development and Sanitary Company, which will revert to the city at the termination of the contract period	$75,000 00
Deduct the above balance	8,934 55
Balance in favor of Boston Development and Sanitary Company	$66,065 45

TABLE 3.—ON A BASIS OF $50,000 AS COST OF LAND.

AMOUNTS CHARGED AGAINST EACH COMPANY FOR EACH YEAR DURING THE TERM OF THE CONTRACT, WITH YEARLY EXCESS OR DIFFERENCE.

NUMBER AND YEAR.	AMOUNTS CHARGED TO		EXCESS.	
	Boston Development and Sanitary Company.	Boston Disposal Company.	Boston Development and Sanitary Company.	Boston Disposal Company.
1912.				
1	$64,000 00	$73,866 00		
2	935 00	1,320 00		
3	75 47	2,475 00		
4	123 75			
5	165 00			
6	206 25			
7	4,125 00			
Totals	$69,630 47	$77,661 00		$8,030 53
1913.				
1	$131,000 00	$147,060 00		
2	1,870 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$142,260 94	$154,650 00		$12,389 06
1914.				
1	$134,000 00	$146,388 00		
2	1,870 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$145,260 94	$153,978 00		$8,717 06
1915.				
1	$137,000 00	$145,718 00		
2	1,870 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$148,260 94	$153,300 00		$5,047 06
1916.				
1	$140,000 00	$145,046 00		
2	1,870 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$151,260 94	$152,636 00		$1,375 06
1917.				
1	$143,000 00	$144,374 00		
2	1,870 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$154,260 94	$151,964 00	$2,296 94	
1918.				
1	$146,000 00	$143,702 00		
2	1,870 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$157,260 94	$151,292 00	$5,968 94	

TABLE 3.— *Continued.*

Number and Year.	Amounts Charged To		Excess.	
	Boston Development and Sanitary Company.	Boston Disposal Company.	Boston Development and Sanitary Company.	Boston Disposal Company.
1919.				
1	$149,000 00	$143,030 00		
2	1,870 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$160,260 94	$150,620 00	$9,640 94	
1920.				
1	$152,000 00	$142,359 00		
2	1,870 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$163,260 94	$149,949 00	$13,311 94	
1921.				
1	$156,000 00	$141,687 00		
2	1,870 00	2,640 00		
3	150 94	4,950 00		
4	247 50			
5	330 00			
6	412 50			
7	8,250 00			
Totals	$167,260 94	$149,277 00	$17,983 94	
1922.				
1	$80,000 00	$70,508 00		
2	935 00	1,320 00		
3	75 47	2,475 00		
4	123 75			
5	165 00			
6	206 25			
7	4,125 00			
Totals	$85,630 47	$74,303 00	$11,327 47	
Totals			$60,530 17	$35,558 77

Summary.

Year.	Excess of Amounts Charged.		Interest on Excess of Amounts Charged.		Time.
	Boston Development and Sanitary Company.	Boston Disposal Company.	Boston Development and Sanitary Company.	Boston Disposal Company.	Years.
1912		$8,030 53		$2,928 33	9¼
1913		12,389 06		4,170 15	9
1914		8,717 06		2,608 15	8
1915		5,047 06		1,321 32	7
1916		1,375 06		308 56	6
1917	$2,296 94		$429 53		5
1918	5,968 94		892 95		4
1919	9,640 94		1,081 71		3
1920	13,311 94		995 73		2
1921	17,983 94		672 59		1
1922	11,327 47		105 91		0¼
Totals	$60,530 17	$35,558 77	$4,178 42	$11,336 51	
	35,558 77			4,178 42	
Net excess of amounts charged	$24,971 40				
Net excess of interest	7,158 09			$7,158 09	
Balance	$17,813 31				

Estimated value of buildings, wharf, etc., to be used by the Boston Development and Sanitary Company, which will revert to the city at the termination of the contract period $75,000 00
Deduct the above balance 17,813 31

Balance in favor of Boston Development and Sanitary Company $57,186 69

INDEX TO TABLES 4, 5 AND 6.

We also present the matter in another form by first crediting to the Boston Development and Sanitary Company the flat difference in its favor in the contract price, $11,738, and from that point crediting each company with the various amounts in its favor for the entire contract period, using the same number, except number 1, for each item as in the first three tables:

Table 4.—On the basis of $10,000 as estimated cost of land.

Table 5.—On the basis of $30,00 as estimated cost of land.

Table 6.—On the basis of $50,000 as estimated cost of land.

Under this form of computation the final result is the same on each basis as shown in Tables 1, 2 and 3.

TABLE 4.—ON A BASIS OF $10,000 AS COST OF LAND COMPUTED FOR THE ENTIRE CONTRACT PERIOD.

		Credits To	
		Boston Disposal Company.	Boston Development and Sanitary Company.
1.	Difference in contract price	.....	$11,738 00
2.	Carrying cost of land estimated at $10,000	$3,740 00	
3.	Taxes on land taken estimated at $9,147.60	1,509 40	
4.	Taxes on equipment now at Spectacle Island estimated at $15,000	2,475 00	
5.	Taxes on new equipment at Spectacle Island estimated at $20,000	3,300 00	
6.	Taxes on one-half the present valuation of buildings now on Spectacle Island, $25,000	4,125 00	
7.	Taxes on plant to be built in East Boston estimated at $500,000	82,500 00	
2.	Taxes on equipment to be installed at Spectacle Island estimated at $160,000	.....	26,400 00
3.	Taxes on plant to be built in Boston estimated at $300,000	.....	49,500 00
	Interest on excess of charges to Boston Disposal Company	.....	13,287 78
	Interest on excess of charges to Boston Development and Sanitary Company	3,332 19	
	Estimated value of buildings, wharf, etc., to be used by the Boston Development and Sanitary Company, which will revert to the city at the termination of the contract period	.....	75,000 00
	Total credits	$100,981 59	$175,925 78

Summary.

Total credits to Boston Development and Sanitary Company	$175,925 78
Total credits to Boston Disposal Company	100,981 59
Balance in favor of Boston Development and Sanitary Company	$74,944 19

TABLE 5.—ON A BASIS OF $30,000 AS COST OF LAND COMPUTED FOR THE ENTIRE CONTRACT PERIOD.

		Credits To	
		Boston Disposal Company.	Boston Development and Sanitary Company.
1.	Difference in contract price	.....	$11,738 00
2.	Carrying cost of land estimated at $30,000	$11,220 00	
3.	Taxes on land taken estimated at $9,147.60	1,509 40	
4.	Taxes on equipment now at Spectacle Island estimated at $15,000	2,475 00	
5.	Taxes on new equipment at Spectacle Island estimated at $20,000	3,300 00	
6.	Taxes on one-half the present valuation of buildings now on Spectacle Island, $25,000	4,125 00	
7.	Taxes on equipment to be installed at Spectacle Island estimated at $500,000	82,500 00	
2.	Taxes on equipment to be installed at Spectacle Island estimated at $160,000	.....	26,400 00
3.	Taxes on plant to be built in Boston estimated at $300,000	.....	49,500 00
	Interest on excess of charges to Boston Disposal Company	.....	12,312 15
	Interest on excess of charges to Boston Development and Sanitary Company	3,755 30	
	Estimated value of buildings, wharf, etc., to be used by the Boston Development and Sanitary Company, which will revert to the city at the termination of the contract period	.....	75,000 00
	Total credits	$108,884 70	$174,950 15

Summary.

Total credits to Boston Development and Sanitary Company	$174,950 15
Total credits to Boston Disposal Company	108,884 70
Balance in favor of Boston Development and Sanitary Company	$66,065 45

TABLE 6.—ON A BASIS OF $50,000 AS COST OF LAND COMPUTED FOR THE ENTIRE CONTRACT PERIOD.

	Credits To	
	Boston Disposal Company.	Boston Development and Sanitary Company.
1. Difference in contract price	.....	$11,738 00
2. Carrying cost of land estimated at $50,000	$18,700 00	
3. Taxes on land taken estimated at $9,147.60	1,509 40	
4. Taxes on equipment now at Spectacle Island estimated at $15,000	2,475 00	
5. Taxes on new equipment at Spectacle Island estimated at $20,000	3,300 00	
6. Taxes on one-half the present valuation of buildings now on Spectacle Island, $25,000	4,125 00	
7. Taxes on plant to be built in East Boston estimated at $500,000	82,500 00	
2. Taxes on equipment to be installed at Spectacle Island estimated at $160,000	.....	26,400 00
3. Taxes on plant to be built in Boston estimated at $300,000	.....	49,500 00
Interest on excess of charges to Boston Disposal Company	.....	11,336 51
Interest on excess of charges to Boston Development and Sanitary Company	4,178 42	
Estimated value of buildings, wharf, etc., to be used by the Boston Development and Sanitary Company, which will revert to the city at the termination of the contract period	.....	75,000 00
Total credits	$116,787 82	$173,974 51

Summary.

Total credits to the Boston Development and Sanitary Company	$173,974 51
Total credits to the Boston Disposal Company	116,787 82
Balance in favor of Boston Development and Sanitary Company	$57,186 69

Referred to the Executive Committee.

LAND, ETC., UNDER GARBAGE CONTRACT.

The following was received:

City of Boston,
Law Department, December 16, 1911.

To the Honorable the City Council:

Gentlemen,—I am requested by your honorable body to give my opinion in answer to two questions.

First. As to whether the city has the power under the right of eminent domain to purchase land on Spectacle Island in fulfillment of its part of the contract for the disposal of city waste.

As there is no proposition for the city to take land on Spectacle Island for the purpose of fulfilling its part of the contract this question cannot be answered literally. Answering the question which I suppose was intended to be asked I would say that by section 31 of chapter 486 of the Acts of 1909, the Board of Street Commissioners at the request of any department with the approval of the Mayor may take in fee in the name of the city for any municipal purpose any land within the limits of the city not already appropriated for public use. The rendering and disposal of garbage and refuse is a public use and the Board of Street Commissioners if requested by the Department of Public Works with the approval of the Mayor, can take a site on Spectacle Island by eminent domain for a rendering plant. The land being taken for this municipal purpose it is immaterial as to whether the city contracts to have the rendering done on that site for the next ten years by a contractor who is to furnish the building and machinery or whether it erects the plant itself and does the work by day labor. If your body and the Mayor approve the contract in its present form, the Street Commissioners if requested so to do can take land on Spectacle Island for a site for a rendering plant and the city carry on this municipal business on the site through this contractor for the next ten years.

Second. Whether the city under the terms of said contract receives free of all expense at the end of ten years the land and the fixtures which the other party to the contract has occupied and used.

In reply I would state that the land when taken or purchased becomes the absolute property of the city. The contractor has nothing to do with it except that under the contract it is to receive a certain sum of money for the use of its plant and the work it has to do under the contract. The buildings and machinery remain the property of the contractor except so far as he has annexed them to and made them a part of the city's land.

The general rule is that if a tenant or other temporary occupant of land annexes things to the real estate in such a manner that they cannot be moved without injury to the real estate they become a part of the real estate and cannot be taken away. This rule would apply to a wharf, subterranean foundations for machinery and brick buildings with cellars.

If the contracting company should fail or should not carry out its contract and the city took possession of the plant the things which had become a part of the real estate would be the property of the city. If the contractor should not fail but should carry on the work properly during the next ten years the plant of the contractor would then come under the provisions of the clause of the contract and specifications entitled "Right to Purchase" on the twenty-sixth page of the proposed contract. The clause reads as follows:

"The city shall have the right to purchase the complete disposal plant and all licenses and rights which may be required to operate the same after the expiration of the contract. The city shall give the contractor at least six months prior written notice of its intention so to purchase, and if the purchase price cannot be agreed upon, such price shall be determined by arbitration, and thereupon the purchase price shall be paid and such licenses and rights transferred to said city."

It is apparent that the fact that certain portions of the plant had become part of the realty or would not be worth the cost of taking them down and carrying them to the main land would be of advantage to the city in its negotiations for the purchase of the plant. If, however, the price to be paid was left to arbitrators under this clause it is impossible to say as to whether the arbitrators would give the company the value of the plant as a going concern or would give its cost less depreciation, or would give only its market value to be

sold to some purchaser other than the city, the owner of the site. The then representatives of the city would probably contend for the last as the true value. It is impossible to state what theory the arbitrators would adopt or what price they would give. This concludes my answers to the questions which you submit.

Since receiving your communication I have had a letter from Brandeis, Dunbar & Nutter, counsel for the Boston Development and Sanitary Company, informing me that the company would not contend that the city should be called upon to pay the value of the buildings, wharves and other things it had annexed to the realty if it purchased the machinery and the balance of the plant, and inclosing a copy of the following vote of the directors:

"At a meeting of the Board of Directors of the Boston Development and Sanitary Company, duly called and held on December 19, 1911, it was reported that a question had been raised as to whether the wharf and buildings, with the pilings and foundations therefor, to be erected by the company on a site furnished by the City of Boston at Spectacle Island under the proposal of the company of December 5, 1911, for the disposal of the refuse of the City of Boston, would become the property of the city without expense to the city; and thereupon it was duly and unanimously Voted, That Brandeis, Dunbar & Nutter, the attorneys for the company, be instructed to inform the City of Boston forthwith that prior to the submitting of the proposal of the Boston Development and Sanitary Company on December 5, 1911, to the Commissioner of Public Works of the City of Boston the company had been informed by officials of the city that the wharf and buildings, with their pilings and foundations, to be erected on the site furnished by the city, would become the property of the city without further expense to the city, and that the city would not be called upon in any event to pay for the same; and said proposal of this company was submitted to the Commissioner of Public Works upon that understanding, and the company will not remove the wharf, buildings, pilings and foundations from the site furnished by the city at Spectacle Island, and will not ask the city to make any payment therefor; this having been the understanding upon which the proposal was submitted; but this vote does not apply to the machinery and equipment to be installed in and about said wharf and buildings."

If a copy of this vote was annexed to the proposed contract the Boston Development and Sanitary Company would be estopped from contending that the words "complete disposal plant" used in the clause entitled "Right to Purchase" showed that the city was to pay for the complete plant, including what had been annexed to the city's realty as well as the things which could be removed, or that the city should pay for its value as a going concern.

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

Referred to the Executive Committee.

APPOINTMENT OF PROBATION OFFICER.

The following was received:

Municipal Court of the City of Boston,
December 26, 1911.

Mr. John T. Priest,
City Clerk:

You are hereby notified that Frank E. Hawkes is appointed a male probation officer of this court, to take effect the first day of January A. D. 1912, with salary at the rate of $2,000 per year, under the provisions of Revised Laws, chapter 217, section 81, as amended by chapter 332 of the laws of 1910; subject to the approval of the County Commissioners.

FRED C. INGALLS, Clerk.

Referred to the Committee on County Accounts.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up unfinished business, Nos. 1 and 2, viz.:

Action on appointments submitted by the Mayor December 18, viz.:

1. George A. Burns, to be a Constable for the term ending April 30, 1912.

2. Albert L. Jefts, to be a Weigher of Coal; Thomas H. Mathews and Frank M. Nichols, to be Weighers of Coal and Measurers of Wood and Bark; and Charles S. Cotter, to be a Weigher of Beef; severally for the term ending April 30, 1912.

The question came on confirmation. Committee, Coun. McDonald and Kenny. Whole number of ballots cast 6, yeas 6, and the several appointments were confirmed.

PARKMAN FUND.

Coun. KENNY, for the Committee on Parkman Fund, submitted the following:

(1) Report on message of Mayor and communication (referred November 27) relative to additional appropriation for zoo and aquarium—that the same be placed on file.

Report accepted; papers placed on file.

(2) Report on message of Mayor, communication and order (referred December 18) appropriating $19,000 for zoo and aquarium—that the order ought to pass.

Report accepted; order passed, yeas 6, nays 0.

WIDENING OF SEAVER STREET.

Coun. McDONALD offered an order—That the Board of Street Commissioners, through his Honor the Mayor, be requested to submit an estimate of the cost of widening Seaver street, between Walnut avenue and Blue Hill avenue, to a uniform width of 80 feet.

Passed.

RECESS TAKEN.

The Council voted at 3.14 o'clock p. m., on motion of Coun. BALLANTYNE, to take a recess subject to the call of the President.

The members of the Council reassembled in the Council Chamber and were called to order by the President at 4.33 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Report on message and order (referred December 18) transferring the sum of $25,000 from the Reserve Fund to an appropriation, to be expended under the direction of the Park Commissioners, for playground accommodations, Mattapan district—that the order ought to pass.

The question came on acceptance of the report and passage of the order.

Coun. SMITH—Mr. President, as usual I want to say simply that, while I am heartily in favor of this playground, I do not approve of the method of financing it. This is especially true in view of the fact that the Reserve Fund is so much depleted at the present time. We have spent largely from that fund, and the same reasoning that guided this Council early in the year in regard to matters of this sort does not apply now. As I understood the majority of the Council then, they thought there was so much money in the Reserve Fund that it was a good source to draw from for such things as playgrounds. Of course, that does not apply now. It may be that the Council will now change its mind, the reason having changed, and ask that this money be raised by loan, there being more money that we are able to borrow than there is that we are able to spend from the Reserve Fund. While I heartily approve of the playground, I cannot approve of this method of providing the money.

Coun. HALE—Mr. President, I will say that for the same reason Coun. Smith has advanced I am going to vote against this order. I would also like to call the attention of the Council to one point which may induce the councilors to change their minds—with apologies to Coun. McDonald for repeating what I have already said here. We have heard from time to time the interest argument that has been used so forcibly by members who believe in what they call "paying as you go," and I think that argument as they have used it may now seem to them false, fallacious. The argument was, "Why borrow money and pay interest on it when by raising money out of the

tax levy there is no question of paying interest?" That, in brief, has been their position. I am glad to say that we have at last made some converts to our theory of interest—which was that interest should be counted whether the improvement was made from current expenses or from loans. I see that we have converted the Finance Commission. In their report on this garbage question they expressly say that the interest on these larger payments which are to be made to the city by the Boston company should be considered as an element in favor of the Brooklyn company. The only possible basis for that—and it is a basis which the Finance Commission admits—is that these expenses, which are to be paid each year out of the tax rate, no bonds issued, should be considered as an investment on which the interest item should be counted. In fact, the counsel for the Boston corporation took exactly the same position in regard to the interest item as the majority of this Council did. He expressly said that, because this was a current expense and because the city issued no bonds, the interest item should be neglected. He used almost the words of members of this Council who have been arguing against us, and the Finance Commission in their report replied in substance to the counsel for the Boston company, "you are wrong in your reasoning as to this interest item," and in practically so many words said, "Councilors Smith and Hale are right in their reasoning on this interest item, and the majority of the Council are wrong." I hope, in view of this additional evidence, that you will reconsider your former attitude on the question of permanent improvements.

Coun. SMITH—Mr. President, I desire to add just one word more, and that is to the effect that, so long as the Finance Commission has agreed with us in our arguments as to interest, Coun. Hale and I are very anxiously awaiting the report of the Good Government Association, which may be published after election, when all matters relating to improvements in the suburbs have been laid at rest, when the Reserve Fund has ceased to trouble their minds, and they can look at this subject simply as a matter of interest.

The report was accepted, and the order was given its first reading and passage, yeas 7, nays 2, Coun. HALE and SMITH voting nay.

President COLLINS—The second reading will be had not less than two weeks from to-day.

(2) Reports on petitions for sidewalks (severally referred to-day) recommending the passage of orders that the Commissioner of Public Works make sidewalks along the following-named streets, in front of the hereinafter named estates, said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built as specified, the owner to furnish said material, viz.:

Brick.

G. L. H. Burger, 16–20 Haviland street, Ward 10.

S. W. Johnson, Eighth street, near N street, Ward 14.

Mary Haynes, 19 Spring Garden street, Ward 16.

James J. Nolan, 7–9–11 Norfolk street, Ward 21.

Andrew F. Kenney, 4 Logan street, Ward 21.

Artificial Stone with Granite Edgestones.

The Pureoxia Company, Norway street, at Hemenway street, Ward 10.

Edison Electric Illuminating Company, 21 Scotia street, Ward 10.

C. E. Cotting, 132 Beacon street, Ward 11.

S. W. Johnson, 202–204 N street and 1774–1776 Columbia road, Ward 14.

Hagopian Brothers, 12 Erie street, Ward 20.

Fred J. Corbett, 19–31 Hecla street, Ward 20.

J. C. Spillane, 282–288 Columbia road, Ward 20.

Reports severally accepted; orders passed.

(3) Report on petition of Leila P. Bruce *et al.* (referred to-day) for sidewalks on South street—recommending reference to the Commissioner of Public Works for a report.

Report accepted; said reference ordered.

(4) Report on petition of Charles Einstein (referred to-day), for a license to keep and sell firearms at 20 Pleasant street—recommending that a license be granted.

Report accepted; license granted on the usual conditions.

(5) Reports on petitions (referred to-day) of Edith Guerrier and Mrs. W. H. Marden for permits for children to appear at various places of amusement—recommending that permits be granted.

Reports accepted; permits granted on the usual conditions.

COUNTY ACCOUNTS.

Coun. CURLEY, for the Committee on County Accounts, submitted a report on communication from the Municipal Court of the City of Boston (referred December 18), fixing salary of assistant probation officer, recommending the passage of the following:

Ordered, That the salary of the assistant probation officer, Elizabeth A. Lee, of the Municipal Court of the City of Boston, determined by the Chief Justice of said court, at the rate of $1,500 per annum, beginning January 1, 1912, be and the same is hereby approved, the amount so paid to be charged to the appropriation for the County of Suffolk, Municipal Court, City of Boston.

Report accepted; order passed.

LAYING OUT OF SOUTHERN AVENUE, DORCHESTER.

President COLLINS offered an order—That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out as a public way Southern avenue, Dorchester.

Passed.

EXTENSION OF HOLTON STREET.

President COLLINS offered an order—That the Board of Street Commissioners be requested, through his Honor the Mayor, to submit to the City Council an estimate of the cost of extending Holton street, Ward 25, through the rope walk factory to the next connecting street.

Passed.

USE OF FIREARMS.

Coun. BALLANTYNE offered the following:

Be it ordained by the City Council of Boston as follows:

Section 94 of chapter 47 of the Revised Ordinances of 1898 is hereby amended by adding at the end thereof the following words:

"Provided, however, that this prohibition shall not apply to persons engaged in trap or target shooting on the grounds of a gun club licensed to be used for said purposes by the City Council, or to persons engaged in hunting, and duly licensed therefor, in those districts of the City of Boston known as Dorchester, West Roxbury and Hyde Park."

Referred to the Committee on Ordinances.

COLLAPSE OF BUILDINGS, EAST BOSTON.

Coun. BUCKLEY offered an order—That his Honor the Mayor be requested to cause an investigation to be made as to the reason for the collapse of three houses on Saratoga street, East Boston, near the junction of Bennington street, December 28, and if there be any causes therefor other than the severe gale on said date.

Passed.

CLAIMS.

Coun. BUCKLEY, for the Committee on Claims, submitted a report on the petition of John J, Callahan (referred December 18) for compensation acts for expense incurred by him on account of his as a police officer — recommending the passage of the following:

Ordered, That there be allowed and paid to John J. Callahan the sum of one hundred and seventy-three dollars ($173) for expenses incurred by him in defence of suit brought against him on account of his acts as a police officer; said sum to be charged to the appropriation for Police Department.

Report accepted; order passed.

LODGING HOUSE CONDITIONS, BRIGHTON.

Coun. SMITH offered an order—That the Board of Healtb be requested, througb his Honor the Mayor, to cause an investigation to be made as to the lodging house conditions existing in Northb Brighton, and report the findings to tbe City Council.

Coun. SMITH—Mr. President, I have introduced tbis order simply because of statements made before tbe Executive Committee tbis afternoon to the effect that lodging house conditions are extremely bad in North Brighton. One of the witnesses testified to us that hunk bouses exist wbere the employees of tbe abattoir and otber occupants use tbe beds througbout tbe twenty-four hours, one shift getting out of and another into the heds. If the statement about those conditions is true, or if anything like that exists in Northb Brighton, certainly the Board of Health ought to investigate it.

Coun. CURLEY—Mr. President, I think it extremely unfair to single out any one section of tbe city for criticism and make a target out of it. Allowing that there may be some truth in what Mr. Murray said, that is a condition that those persons interested in social improvement work in tbat section are competent to handle and report to the Board of Health upon. I don't think it is a subject for puhlic record hy this Board. There is no section of the city, with the possible exception of Dorchester, that is undergoing more real estate development at the present time than the Brigbton district, and if it does hecome necessary for a large numher of persons to occupy certain dwellings eitber for lodging purposes or for other purposes, it is perhaps a condition that is unavoidahle because of the earning capacity of those individuals. Certainly it is not a condition that should cause us to single out tbat section rather than any other section of the city. Wbat might he said of this section of Brigbton might perhaps be said of the "Old Comfort" lodging house, the Salvation Army lodging houses, and every other section of tbe city might be included. But it is not a matter for public criticism on the part of this Board. Certainly it is not a matter that should be made a part of the puhlic records of tbe meeting of the Board because, after all, it is a matter that the Board of Health is competent to deal with, and which undoubtedly they would feel a duty to deal with, if the matter were called to their attention, without giving that section of Brighton not only undue hut unfavorable, and in my opinion unwarranted, puhlicity. I don't think it is proper, and I hope the order will not pass.

Coun. SMITH—Mr. President, it is not a question of publicity; it is simply a question whetber the health regulations of this city are being violated in Brighton. If the same facts were called to my attention in any otber section of the city I should introduce tbe same order. If tbe Board of Health can tell us that the facts which bave heen stated to us this afternoon do not exist, tbat ends the matter. If, however, the facts which have heen stated to us this afternoon are true, they deserve serious consideration by the Board of Health, because they violate tbe ordinances of the city. In regard to the other places cited by Coun. Curley he certainly does not mean to bave us take his statement seriously. He does not mean to tell us that the Salvation Army bave their beds occupied 24 hours in the day. That is ahsurd. If these conditions do exist in Brighton that we have bad evidence of this afternoon, they ought to be stopped. By this order I simply wish to direct the attention of tbe Board of Health to what has been told to us tbis afternoon.

Coun. ATTRIDGE—Mr. President, as members of tbe Council we must be careful that we do not cast any aspersions upon or make any statements wbicb might hurt any particular district of tbe city. Possibly if the order passes it migbt have that effect. We could, I think, in justice to Brighton have this order referred to the Executive Committee with the request that some representative of the Board of Health appear before that committee and state exactly the conditions that exist there. I myself desire to find out from the Board of Health the conditions in connection with the Brighton abattoir, and I think in justice to Brighton we can very well ask representatives of the Board of Health to appear here before the Executive Committee of the Council and state to us the conditions that exist.

Coun. SMITH—Mr. President, I will very gladly accept tbe suggestion of Coun. Attridge, my only object heing, as I said before, to find out whether these conditions do really exist. Whether we find that out by direct passage of tbe order or by reference to the committee and having one of the Health Commissioners come hefore us is immaterial. I am glad to accept the suggestion.

Coun. BUCKLEY—Mr. President, I hope the Council will not pass the order and will not refer it to the Executive Committee. I don't think Mr. Murray meant exactly what he said this afternoon. He was very enthusiastic in getting tbe playground and I don't think he meant that tbose heds were occupied twenty-four hours a day. I wish the councilor on the other side of the Chamher had not presented the order, hecause to-morrow there will prohably be a lot of newspaper notoriety ahout what Mr. Murray said here, which will not only be apt to do a great dcal of harm to a very estimahle young man, hut to that section of the city. We ought to consider persons as well as localities when putting in orders like this. Reputation of people is something, and this is something tbat might hurt a young man, if the thing is published in the newspapers in this connection. I helieve in going about it in a different way. As Coun. Curley suggested, you could have easily rung up the Board of Health and found out whether such conditions do exist, without seeking notoriety hy presenting such an order and at the same time hurting a very estimable young man and hurting the Brighton section of the city.

Coun. Attridge's motion, that tbe matter be referred to the Executive Committee with a request that a representative of the Board of Health he asked to appear at the next meeting of the committee, was declared carried hy a rising vote, 5 to 4.

Coun. HALE—Mr. President, I move a reconsideration, hoping the same will prevail. I am sure that there must he a misunderstanding as to the meaning of this action. We have had called to our attention officially tbe fact that the law is being violated, and it is now proposed to take action that is going to cover that up. I think it is perfectly disgraceful to have any member of the body get up and vote in that way through fear of hurting the feelings of some particular individual. I hope everyhody here who has any interest in the welfare of the city or the enforcement of the laws which we are under oath to try to get enforced, will do what he can to have tbis matter investigated. I think Coun. Attridge is quite right in wanting this referred to the committee.

President COLLINS—It has been referred to the committee.

Coun. HALE—Has it been referred to the committee?

President COLLINS—Yes.

Coun. HALE—Then I withdraw my remarks.

Coun. CURLEY—Mr. President, I also trust that reconsideration will prevail and that the order will be defeated. It is a very simple matter for any memher of the City Council, when a matter of that kind is brought to his attention, to ring up the Board of Health and call the attention of the Board of Health to it, and tbat disposes of it. They are competent to deal with the question, and they should he permitted to deal witb it. It is not a matter for lengthy investigation. What Coun. Buckley has said is very true. We know from hearsay, from a person appearing for a playground for the Brighton district, that a condition exists there that should not he tolerated, and if there had not heen a meeting of the City Council this afternoon, in performance of our plain duty, the matter having heen hrought up in that way in connection with the Brighton playground question, we would simply bave oheyed a natural impulse, called up the Board of Health, called attention to the fact, and asked whether such a condition existed. But the very fact that we bave a meeting leads a memher to take advantage of the meeting to get a little puhlicity and notoriety by calling attention to the matter in this way. I certainly hope reconsideration will prevail, that the order will he defeated, and if nobody else calls up the Board of Health I will do it myself.

Coun. HALE—Mr. President, I withdraw my motion to reconsider.

Coun. CURLEY—I ohject to the withdrawal.

President COLLINS—The question comes on reconsideration.

Coun. McDONALD—Mr. President, I don't tbink that Mr. Murray bas been treated fairly in this matter. I listened to the statement Mr. Murray made, and be did not state that that condition exists there to-day to bis personal knowledge

He stated in reply to Mr. Smith that it had existed in the past and that it may possibly exist at the present time. But he did not say that they were sleeping in these beds twenty-four hours. He said that the men who worked night times slept in some of these beds in the day time, and he said that no doubt people slept in those same beds at night. They are not sleeping there twenty-four hours, and that condition is not such a horrible condition that we should take action here when it can be easily investigated by the Board of Health without such action. He simply made that statement in arguing the need of a playground over there, referring to the congestion in that section of Brighton. That congestion exists all over the city, and, as far as health is concerned, possibly even if there were, as the councilor on my right says, two shifts in these beds, day and night, there might be four or five hours between the times when a man slept there in the night time and another one in the day time, and sanitary conditions can prevail. That condition may exist in lots of places, but still they might have plenty of air in the rooms and sanitary conditions might prevail, just the same as if nobody slept there in the day time. He did not mean to say that to do anybody any harm, and, as Coun. Buckley says, I don't think we are treating the young man fairly. He is a nice, very estimable young fellow, and I don't think we ought to adopt such an order offhand, without looking into the matter at all, letting it go out in this way into the public press. It is going out now, perhaps, that he made such a statement, although he did not make it with the intention of hurting anybody. He made it in a frank way, stated that those conditions had existed there and that they perhaps exist to-day. I think we ought not to send the matter to the Executive Committee, but that we should reconsider our action and kill the order, not holding up in this way a young man who is making an effort to get a playground in that district, which sadly needs it.

Coun. BALLANTYNE—Mr. President, I will vote for reconsideration of the order, because I think the passage of the order will give North Brighton altogether too much undesirable prominence in the public press to-morrow. I agree with Coun. McDonald, that the statement made by Mr. Murray at the hearing this afternoon was not intended to convey to us the impression that the conditions exist in North Brighton at the present time. I may have misunderstood the gentleman, but my understanding of his statement was this, that some years ago such conditions did exist and that they may exist to-day. He was trying to describe the crowded condition of the district surrounding the proposed playground, and in order to make more forcible his argument he stated this, which he said was a fact some years ago and might exist to-day. I don't think it is right or just to Mr. Murray, in the first place, to give him so much prominence in this case, and I don't think it is right to single out that small district of North Brighton in this way. For that reason I am going to vote for reconsideration, and if that prevails I shall vote against the passage of the order.

Coun. SMITH—Mr. President, I beg to call the attention of the gentlemen who oppose the measure on account of the prominence it gives to Mr. Murray to the fact that they are the only ones who have named or mentioned Mr. Murray in connection with this matter. I have not done so; they are the only ones who are giving him prominence. I have never mentioned Mr. Murray's name. I don't care whether Tom, Dick or Harry calls attention to this condition of affairs. All I say is, if those conditions that have been called to our attention this afternoon exist, let us call the attention of the Board of Health to the matter. Mr. Murray is a personal friend of mine, and no member of this Council could wish him ill less than myself. But the fact is that he called to my attention certain conditions in Brighton and he said to me privately he thought conditions did warrant an investigation by the Board of Health. Mr. Scully said, while he did not have personal knowledge of the facts, that he thought the facts existed. All I ask is that the Board of Health give us some information in the matter. I have not pressed the passage of this order. I agreed to Coun. Attridge's suggestion that we send it to the Executive Committee and have a report upon it from the Board of Health. There is nothing personal in it, nothing of a district nature. If anything of the kind happened in the West End, the North End, Dorchester, East Boston, the Back Bay, any other district of the city, I am sure that the Council would desire to protect that section and find out from the Board of Health whether such facts existed. It is not that I have anything against Mr. Murray; I offered the order because of the fact that I have at heart the welfare of the people of Brighton. If the conditions exist, the people of Brighton want them stamped out as much as anybody else.

Coun. HALE—Mr. President, it amuses me to have the so-called friends of Mr. Murray coming in and opposing this order and seeking reconsideration of the reference. Mr. Murray, having the interests of Brighton and of the people of Brighton at heart, came in and described certain conditions to us, saying that they were very bad, that they needed relief, and he asked us for a playground. I think they will probably have a playground out there. There certainly is need for one. Mr. Smith, as I understand, talked with Mr. Murray in the committee room about these conditions, and it seemed to Mr. Smith that we might be able to help Mr. Murray in his efforts to improve the condition of the people of Brighton by calling these things to the attention of the Board of Health. In other words, the passage of this order seems to me to be directly in line with what Mr. Murray has wanted, and I have no doubt that Mr. Murray will be very much pleased to see these efforts in behalf of the citizens of Brighton by the City Council. It strikes me as very amusing now for members to say that they fear Mr. Murray's reputation will be hurt, simply because he has described certain conditions and we want to help him to remove those conditions. It seems to me that such an attitude is illogical, to say the least.

Coun. KENNY—Mr. President, there has been so much said about North Brighton in this case, calling attention to it as a place that is perhaps not healthy, that I think it is rather unfair under the circumstances to give it this publicity. I myself saw no harm in reference of the order to the Executive Committee, but, in view of the fact that North Brighton is singled out as a place that needs attention, I don't really think the order ought to take the form it has. If something ought to be investigated, let the member who has introduced the order first make his investigation and ascertain that fact. At the present time, in view of the fact that so much has been said in regard to North Brighton, I shall vote in favor of reconsideration.

Coun. SMITH—Mr. President, do I understand the gentleman who has just sat down to say that he thinks I personally ought to investigate the matter and that he personally is not interested in health conditions in North Brighton?

Coun. KENNY—No, I do not say that. I do say that if I myself desired to take upon myself the introduction of an order of this kind I might first go a step farther and make an investigation before coming in with it. I agree with what has been said on the other side to the effect that that would be the proper method of procedure. It is very easy to come in with an order of this kind and cast reflections on a certain community. I think a member introducing such an order owes a duty to the Council to first make a preliminary investigation himself, and then, if he finds that the conditions do exist, to go forward and introduce his order. The mere offering of a statement in connection with a collateral matter that something did exist at a previous time and may exist to-day, does not warrant this sort of notoriety. That is the reason why I take this position.

Coun. SMITH—Mr. President, I would simply like to state that we have a department of the city government that takes care of the health of the different communities. While I personally might have investigated the subject, if I did that with every subject that comes to my attention I would have my time more than occupied. For that reason I asked the proper department to give me the information on the subject. It does not seem to me that Mr. Kenny in taking exception to that position is fair. If I want the proper department to tell me the conditions that exist in North Brighton, why should I not ask the department? Why should any one man's opinion be taken by the members of the Council in regard to Brighton?

Coun. ATTRIDGE—Mr. President, I am sorry that so much has been said in regard to these so-called conditions in North Brighton. I introduced that amendment to Coun. Smith's motion simply for the purpose of giving the members of the Council a chance to hear from the Board of Health. I have had in my possession for more than a week a letter

in regard to the abattoir conditions, and I had intended to make a personal visit to the Board of Health's office on Summer street to find out from the Board what the real conditions in that district were. I think at the present time we have given North Brighton a little bit too much notoriety. I thought for the benefit of all the members we might have some member of the Board of Health here, but I now think, for one, that I shall this afternoon vote to reconsider my action in a way in making that amendment. I shall vote to reconsider the reference, to get the order before the Council, and then I shall vote against the order; and then I personally will go to the Board of Health and ask about the health conditions of the people of North Brighton and also in regard to the abattoir conditions. I am sorry, as one member of the Council, that so much has been said about conditions in North Brighton. In my opinion it will not help North Brighton.

Coun. McDONALD—Mr. President, I just want to say a word in answer to the gentleman who says he is sorry to have the so-called friends of Mr. Murray implicate him this afternoon as making that statement. I am not a "so-called friend" of Mr. Murray. I only know him from meeting him on the street and have never spoken half a dozen words with him in my life. But I am sorry that the thing has been brought up here because of the statement made by Mr. Murray. I don't think any member of the Council ought to take that statement seriously enough to give it the publicity it has been given, and I don't think we should bring that section of the city into such undesirable notoriety. Mr. Murray spoke about the conditions which had existed in that section. He did not mean to have it treated in this way and the member ought not to take it so seriously. I am not upholding Mr. Murray, but I do not propose to vote for an order to investigate health conditions in that section of the city because of the statement he made. He did not say that those conditions exist to-day; he said that they had existed in the past and that possibly they do exist to-day. Even if they did, the conditions as he pictured them were not so bad that the Board of Health should be asked in this way to make such an investigation. He simply said that in times past somebody slept in those beds at night and that men working night times, on the other floor, slept there in the day time. That condition has existed there, and he said in reply to a question that possibly it exists to-day. Why should we, because of that statement, come in here and pass an order to have the Board of Health investigate the sanitary conditions, the health conditions, out in North Brighton? I think the gentleman who has introduced the order owes the people of North Brighton as well as Mr. Murray an apology for introducing the order on what he said. I would not vote to send the order to the Executive Committee or to consider it. I am going to vote to kill it. I think it is too bad that it has been brought up here to-day, so as to compel anybody to defend either Mr. Murray or North Brighton, because of the statement that was made.

Coun. SMITH—Mr. President, I shall be very glad to delegate Coun. McDonald as a committee of one to make any excuses he wants to Mr. Murray or the people of Brighton. But I want to clearly understand the position taken by the Council. On the order introduced by me Coun. Attridge, I understand, made a motion to refer to the Executive Committee. That was passed. That is, Coun. Attridge's idea was accepted by this body. Now, does Coun. Attridge want to reconsider his own motion? May I ask that as a question of Coun. Attridge? Does he desire to change his original idea? His original idea was to have it referred to the Executive Committee. Does he desire to reconsider that?

Coun. ATTRIDGE—Yes, Mr. President, in view of the statements that have been made in this Chamber this afternoon, I intend to vote to reconsider my action here, and if the reference is reconsidered I shall then vote to defeat the order. I will then make a personal investigation myself and will visit the office of the Board of Health and find out the facts for my own satisfaction.

Coun. SMITH—Mr. President, as I understand it, Coun. Attridge desires to kill his own motion. Is that it?

Coun. ATTRIDGE—Mr. President, I think I have answered the question.

Coun. McDONALD—Mr. President, just a word in reply to the gentleman on my right (Coun. Smith). I do not want to act as a committee to apologize for him on this or any other occasion, because in my opinion I would be apologizing for him all the time. I am not going to do it in this or any other case.

The motion to reconsider reference prevailed by a rising vote of 6 to 2.

The order was rejected.

DEVELOPMENT OF LAND, BOYLSTON STREET.

Coun. CURLEY offered an order—That the Board of Street Commissioners, through his Honor the Mayor, be requested to confer with the officials of the New York, New Haven & Hartford Railroad relative to the development of land situated on Boylston street, now used for storage of cars.

Coun. CURLEY—Mr. President, this order has been introduced with a view to opening up a conference of negotiations with the New York, New Haven & Hartford officials for the development of that tract of land situated on Boylston street between Exeter street and Massachusetts avenue that has been used by the railroad company for a number of years for the storage of sleeping cars. It is perhaps one of the most valuable of the unused tracts of land at the present time in the entire city. A portion fronting on Boylston street, with a depth of 200 feet, is capable of sustaining easily from fifty to one hundred million dollars worth of taxable real estate, that could be let, customers being found very readily, at good rentals, netting the city a splendid return. For the first time in my experience in the history of the city government we have a railroad corporation determining the amount of damages that the city shall levy for the extension of a street, in consequence of which extension their own property is to be improved. It is certainly a most peculiar condition, where they have the temerity to send a communication either through the Mayor or to the Mayor, the same being received by the City Council, in which they set forth what they are willing to pay. I am not aware that the Legislature has changed the law under which the Street Commission is the body that is to determine values and payments to be made by persons whose property has been benefited, and if the law has been changed it is news to me. Personally I feel that the Street Commission is the body that should determine the amount to be paid by the New York, New Haven & Hartford Railroad for the improvement of its own property rather than have the New York, New Haven & Hartford Railroad determine what it shall pay in consequence of the improvement of its own property. Under the circumstances, since they show a disposition to settle those matters that affect their own welfare, it strikes me that it might be an excellent time for the City of Boston to submit for consideration by the railroad corporation this proposition to develop their own property and at the same time have something done that will be of benefit to the city. The original order which emanated from the office of the Mayor has been referred to the Committee on Finance, I believe. While that order is pending, it might be an excellent time for the city to take up the development of the stagnant real estate on Boylston street, a section which has witnessed more rapid development in the last five years than possibly any other section of the entire city, and to take up with them the question either of sale by public auction or development at their own expense, not of the entire storage yard but of a portion of that storage yard. If this is done, Mr. President, it will be an invitation to merchants to locate in that section of the city, it will develop a section that is sadly in need of development at the present time, and it will easily add from fifty to one hundred million dollars to the taxable value above the land to the City of Boston within the next five years. I sincerely trust that the Street Commission and his Honor the Mayor will see the wisdom of conferring with the New Haven officials with relation to this proposition. Certainly the City of Boston has been exceedingly liberal in its dealings up to the present time with the New Haven Railroad. It not only is apparently agreeable to improving the property of the road but is also agreeable to allowing the New Haven road to determine the amount of damages they shall pay, not for injuring their property but for improving their property.

The order was passed.

ACCEPTANCE OF HEATH AVENUE.

Coun. CURLEY offered an order—That the Board of Street Commissioners, through his Honor the Mayor, he requested to accept and lay out as a puhlic way Heath avenue, Roxhury.

Passed.

CAR STATION, EAST BOSTON.

Coun. CURLEY offered an order—That tbe Boston and Eastern Railway Company be requested, through his Honor the Mayor, to establish a station at Webster and Orleans streets, in the vicinity of the Cunard Docks.

Passed.

RESCISSION OF ASSESSMENT ORDER.

Coun. SMITH offered an order—That the vote wherehy chapter 415 of the Acts of 1911 was accepted, Novemher 27, 1911, concerning ahatement of Columhia Road assessments, he and the same is hereby rescinded.

The order was declared referred to the Executive Committee.

Coun. SMITH—Mr. President, I brought the matter up at this time in view of the fact that the Corporation Counsel sent us a very strong opinion to-day in regard to the ahatement. It seems that we took our action of Novemher 27—certainly that was so in my own case—possibly without a full knowledge of the facts, and after reading the letter from the Corporation Counsel I entirely agree with his reasoning. For that reason I desire to have a chance at least to rescind the vote of Novemher 27.

President COLLINS—Do I understand the gentleman to move reconsideration?

Coun. SMITH—I do.

The motion to reconsider was lost by a rising vote, 1 to 6. The order stood referred to the Executive Committee.

RESOLUTIONS CONCERNING NAVY YARD.

Coun. BUCKLEY offered the following:

Resolved, That in the opinion of the Boston City Council the hest interests of Boston, of Massachusetts and the nation require that the navy yard at Charlestown be maintained at tbat place hy the Navy Department; and he it further

Resolved, That a copy of this resolution be sent to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the Secretary of the Navy.

Coun. BUCKLEY—Mr. President, it seems to me that at tbis time, when the aholition of the Charlestown Navy Yard is in contemplation by the Secretary of the Navy, especially in view of tbe fact tbat every person interested in the matter and residents of Massachusctts generally wish to keep the navy yard here, the City Council of Boston, where the navy yard is located, ought to pass this resolution, so as to place the City Government of Boston on record as favoring tbe retention of a navy yard in this section of the United States.

Coun. SMITH—Mr. President, may I ask the councilor who has just sat down whether he has any facts to present on tbe subject?

Coun. BUCKLEY—Mr. President, the only facts are that the United States Navy Yard has been located in Charlestown for so long a time, that it offers employment to so many citizens of Massachusetts, irrespective of whether or not they live in Boston, that it is an ideal place for the navy yard, and tbat Boston, the metropolitan city of New England, certainly ought to have a navy yard located here. It seems to me that this is the place for it and that we ought to go on record in favor of it.

Coun. SMITH—Mr. President, if I remember the wording of the resolution it is that it is for the hest interests of the nation to have the navy yard in Charlestown. Am I correct?

Coun. BUCKLEY—In the opinion of the City Council.

Coun. SMITH—Mr. President, as one of the City Council, hefore making up my mind I should like to bave some facts and figures presented, regardless of employing people in and ahout Boston.

Coun. CURLEY—Mr. President, I want to say tbat I am pleased tbat some one has presented a resolution of tbis character. Perhaps the phraseology is not exactly what certain members of the Council might desire it to be. The fact remains that there is evidently an intention on the part of the Naval Board to abolish not only the navy yard in Charlestown hut the navy yard at Portsmouth and the navy yard in New York, and to establish a naval base in the vicinity of Narragansett Bay. The navy yard at Charlestown occupies a somewhat unique position. It is the site of the first navy yard in tbe repuhlic. There is no section of the entire country that has a larger number of skilled mechanics than the section of New England in the vicinity of the Charlestown Navy Yard. It furnishes employment to somewhere in the vicinity of 2,000 to 3,000 workmen, mechanics and laborers, and its loss would he a serious proposition, since it affects such a large numher of wage earners of this section of our state. I believe that the Naval Board is just as liahle to make mistakes as any other body of men. It is in no sense infallihle. It is just possible that it may experience a change of mind and of heart at some time, possibly witbin the next twelve months. Certainly no injury can result in consequence of the adoption of a resolution of this character, hut, on the contrary, much good may result. The desire is to centralize the Naval Department, confining tbe work done at navy yards to one yard on the Atlantic coast and one yard on the Pacific coast. The government owns no property at Narragansett Bay, and it would require a considerahle investment to acquire sufficient land as a site for a naval base and a navy yard at Narragansett Bay; and, in view of the fact that the yard now owned by the government at Cbarlestown contains a dry dock costing upward of a million dollars, and serves the purpose for which it was intended in an excellent degree, I believe it should be maintained. I have my own personal views as to the reason for thc aholition of these yards and the establishment of one naval hase on the Atlantic coast. I may be entirely wrong in my views. Personally I helicve it is with a desire to make profitable the husiness of private shipyards along the Atlantic coast, hecause every man must realize, with the size of the fleet at the present time, the utter impossibility of huilding ships and making necessary repairs at one yard only on the entire Atlantic coast. At the present time we have the Newport News Shipbuilding Company and the Fore River Shipbuilding Company, located on the Atlantic coast, two private concerns, a large percentage of whose husiness is with the United States government in the making of repairs and tbe construction of new ships for thc Naval Department. If it is profitable for two private yards to be maintained upon the Atlantic coast, with four navy yards owned hy the United States Government along the same coast, then if three of those yards were aholished hy the government, it would be highly profitable to the two private yards doing business along the Atlantic coast. I sincerely trust that the resolution will he adopted and that every step possible to be taken hy the citizens of Massachusetts will he taken in order that the navy yard may he retained here at Boston.

Coun. BUCKLEY—Mr. President, one word more. I know that the gentleman on the other side is not opposed to this resolution, hut it seems to me tbat at this time it may not he amiss to call to your attention the fact tbat when this matter was first broached his Honor the Mayor went to Washington in connection with it to discourage the removal of tbe navy yard from Charlestown because of the injury it would he to this part of the country and also to the nation. As you know, we are now contemplating a dock system on a large scale, the directors of the port of Boston having heen recently appointed, and to remove an industry like this from our section at this time I think would mean great damage to the proposed improvement along the waterfront. I remember also, Mr. Presidcnt, when you were acting mayor, while his Honor the Mayor was in Washington on

this matter, the arguments which you offered against the removal of the navy yard. They were practically the same which I gave when I introduced the order — because of the historic nature and the value of the navy yard here, because of the great numher of men it employs and because of its help to the country at large. Certainly for all these reasons we ought to keep the navy yard in Boston. I know that every memher of the Council will vote in favor of this resolution at the present time.

Coun. SMITH—Mr. President, I am going to vote against it simply hecause I don't know anything ahout it. The wording of the resolution puts it on a national basis, and I think very few of us here are in a position to judge whether it is better for the United States government to have half a dozen stations on the Atlantic coast or one or two stations. I certainly stand here and plead my ignorance. Of course, the suspicions of Coun. Curley are of some weight, hecause he is in Washington politics and has more chance to judge about those than some of the rest of us. It may be that private firms are going to benefit by having the navy yard taken away from Charlestown, hut that I don't know anything ahout, and I certainly would not vote on a suspicion. It seems to me that that waterfront in a great metropolitan city like Boston is going to be used — if not in connection with the navy yard, for something else. If the navy yard is not there, therc are going to be just as many hands employed in some other industry. I would like to suggest that there will be just as many voters in Charlestown. It seems to me, while we would be sorry to see the navy yard go at the present time and to have those men thrown out of work, looking at it in a broad way, from a national standpoint, it may be all right. I don't know, and not knowing, I am going to vote in the negative.

Coun. BUCKLEY—Mr. President, I am sorry the gentleman has made the statement ahout there being just as many voters in Charlestown. I should like to inform the gentleman that people from all over the United States are employed in the navy yard and that the percentage of those employed in the navy yard who live in Charlestown is very small, probably not over ten per cent. I certainly have no reason for playing politics at this time, and I am not playing them, no matter what the gentleman on the other side may think. I am not playing politics and I am not looking for any cheap notoriety.

Coun. McDONALD—Mr. President, while I don't think there is any danger of the Charlestown navy yard heing closed up—all I know is that what I read in the papers that the Mayor is in Washington protesting and that Senator Lodge gave out an interview saying that there was no need to worry, that the navy yard would still operate in Charlestown, and I suppose if he said that he will see that it does operate there while he remains in the Senate—nevertheless we all know that the present Secretary of the Navy wants to shut up the Charlestown, Brooklyn and Portsmouth Navy Yards and to establish a naval base, as Coun. Curley has said, over in Rhode Island. To us in Charlestown it makes no difference as far as the voters are concerned because, as Coun. Buckley has said, there are not 10 per cent of the employees of the navy yard who live in Charlestown and personally I don't think that 5 per cent of them live in Charlestown. I don't know of twenty-five who do, and I am over there a good deal and know all of them. Out of two or three thousand employees I don't think there are over fifty, any way, who live in Charlestown. There may be some who have come there from Brooklyn, New York, and from other places and who lodge in Charlestown, but who do not live there. But that is not the question. The yard has been established there for years and employs a large numher of men, and if there is any danger of its going away from there—whether, as the gentleman on my right says, it is a resolution introduced relative to national matters or not—this City Council ought to enter its protest, telling the present Secretary of the Navy, who is a Massachusetts man, that we think the Charlestown Navy Yard should be preserved there and the people who have been employed there all their lives retained. There is a lot of work to do; they do not keep them in the navy yard if there is nothing for them to do. As Coun. Curley says—and I think it is the opinion of anybody who has followed naval affairs—the private interests now doing shipbuilding for the United States government and the men connected with those private concerns would like to see fewer navy yards. That is the reason why they are trying to do away with these navy yards and create two naval hases, one on the Atlantic and the other on the Pacific coast. I therefore think, whether there is any danger of the navy yard being removed or not, that we should adopt the resolution and tell the Secretary of the Navy that we, as the City Council of Boston, protest against the closing of that navy yard because of the fact that we think it has always heen of use and has done good work for the government and that we think it will still be of use. We think it should not be closed.

Coun. SMITH—Of course, this Council is interested in the question simply from the standpoint of the City of Boston's good, and for that reason we might be anxious to see the navy yard retained. Now, it may be that the waterfront occupied by the navy yard would be a greater help to the City of Boston if it were used for commercial purposes. Our waterfront to-day is altogether too limited. It is so limited, in fact, that we are considering filling in land on Bird Island flats in order to get greater waterfront for East Boston. If the navy yard is moved, we will have just that much more waterfront for commercial purposes. If the navy yard is moved it may result in the greatest hoom that Charlestown has ever had. Great wharves, factories and storehouses may be put over there. Therefore, viewing even from the City of Boston's standpoint—which I suppose is a proper view for us to take —I am frankly in doubt, and when in douht I do not intend to hurry into any hasty resolutions, talking about the good of the nation and the good of the state as well as the good of the city.

Coun. BUCKLEY—Mr. President, when I remember the fact that the Secretary of the Navy represented in the City Council and came from the same ward that the gentleman on the other side of the Chamber represents, of course I can see how they arrive at the same conclusions. So I think the gentleman on the other side of the Chamher is looking through the right glasses from his standpoint when he, living in Ward 11, takes the same view of this matter that is taken by the Secretary of the Navy, who, when in Boston, lives in Ward 11.

The resolution was declared adopted. Coun. SMITH doubted the vote and asked for the yeas and nays.

The resolutions were adopted, yeas 7, nays 1, Coun. SMITH voting nay.

GENERAL RECONSIDERATION.

The Council, on motion of Coun. BALLANTYNE, refused a general reconsideration of all action taken to-day.

THE NEXT MEETING.

Coun. ATTRIDGE—Mr. President, I move that when the Council adjourns it be to meet on Thursday, January 11, at three o'clock p. m.

Coun. CURLEY—Mr. President, I would move as a substitute motion that when the Council adjourns it be to meet on Friday, January 5, at three o'clock p. m. As I understand it, you have a hearing on your garbage proposition on the 3d, and you want to have an opportunity to act on that matter before the city election. I think that matter ought to be acted on before the city election, and I make that substitute motion, Mr. President.

President COLLINS—The question first comes on the motion made by Coun. Attridge, being for the longer time, that when we adjourn it be to meet on Thursday, January 11, at three o'clock p. m.

Coun. McDONALD—Mr. President, I certainly hope that we will not meet on the 5th. I will not be here the 5th, 6th or 7th, will not be in Boston, and I want to be here when any action is taken on the garbage proposition. I am going away on the afternoon of the 4th. Tuesday, January 9, is election day, and we cannot very well meet the Monday before that, as we never have had a meeting of the City Council or the Board of Alder-

men the day before election. I see no harm in waiting three or four days and having the meeting on the 11th.

Coun. CURLEY—Mr. President, I have no desire to take any unfair advantage of Coun. McDonald. I would like to get away myself about the 10th, and since he is going to be here on the 8th, I think we might meet on the 8th. It will be rather a short meeting, anyway, and I don't know as it will interfere seriously with the campaign of the members of the Council. I would not want to take any unfair advantage of them, and I would not do so. I therefore suggest that we should meet on Monday, January 8. I don't suppose any of the Council candidates would be away at that time. They would probably all be here.

Coun. Attridge's motion, that when the Council adjourn it be to meet on Thursday, January 11, at 3 p. m., was declared carried by a rising vote, the Chair being in doubt, 5 to 3.

Adjourned, on motion of Coun. KENNY, at 5.41 p. m., to meet on Thursday, January 11, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Wednesday, January 3, 1912.

Meeting of the City Council in the Hearing Room, City Hall, at one o'clock p. m., President COLLINS in the chair and all the members present, to continue hearing on the subject of the proposed contract with the Boston Development and Sanitary Company for the disposal of refuse for a period of ten years from July 1, 1912.

Appearances, same as before, *i. e.*, Edward F. McClennen, Esq., for the Boston Development and Sanitary Company, and George W. Anderson, Esq., for the Boston Disposal Company.

George W. Anderson, Esq., made an opening statement on behalf of his clients, and against the approval of the contract with the Boston Development and Sanitary Company.

Howard Whitmore, executive secretary of the United Improvement Association, submitted a resolution of the association, passed April 5, 1911, to the effect that the association is opposed to the establishment of any garbage station on the shores of any waters contiguous to any park, playground or bathing beach: and Mr. Whitmore also stated that the association is opposed to the approval of any garbage contract until the City Council is assured that no receiving station will be established at the Freeport Street Wharf.

Frank W. Merrick, for the Savin Hill Improvement Association, also objected to anything that would mean a nuisance to the beaches, parks, or to citizens generally of that section of the city. The section had seriously suffered from the Calf Pasture and other nuisances in the past, and it is extremely difficult to get rid of such nuisances after once established.

Henry Patten, of Dorchester, appeared and seconded the objections, as far as Dorchester was concerned, as a resident of Savin Hill for forty years and thoroughly familiar with the nuisances to which the section had been subjected.

Representative Charles L. Carr, of Dorchester, also objected to the placing in the Dorchester district of centers of garbage collection, feeling that there would be a nuisance in the stations themselves, and also from the offal teams going back and forth.

Representative Benjamin F. Sullivan, of East Boston, representing the Orient Heights Improvement Association, while he did not appear as favoring either of the leading proposed contractors, felt that there was a deal of merit, as far as East Boston is concerned, in the suggestion that has appeared in the papers of a contract with the East Boston Company for the fill of certain undeveloped lands over there; and he hoped that, whoever received the contract, the material fit to develop land would be sent to East Boston.

Frank M. Doyle, representing the Ward 22 Democratic Club, felt that there was a good deal of value in the wastes to be disposed of, and that should be considered in the making of any contract.

Judge Louis M. Clark, representing the Harrison Square Improvement Association, the Boston Yacht Club, and himself as a property owner, objected to a station in the vicinity of Harrison square. The citizens of that section had asked a hearing in the matter, and had not had it. He seriously objected to anything which would mean pollution of the waters of the vicinity, or a nuisance to Dorchester citizens, who have suffered sufficiently in the past.

Hon. William S. McNary, for the South Boston Citizens' Association, stated that South Boston's position was that of Dorchester — except that South Boston had suffered much greater nuisance in the past from disposal of refuse, in connection with dumps, etc., than even Dorchester. He also stated, as a member of the South Boston Yacht Club, that the members of that club, besides a great many members of other yacht clubs, object to the nuisance that may arise from the sort of thing proposed here. The present nuisance, from noxious gases and otherwise, is bad enough. It seems that some arrangement might be made to place a disposal plant on an island farther down the harbor,— such, for instance, as Moon Island, or a part of Long Island. He also claimed that the Brooklyn Company (the Boston Development and Sanitary Company) had met with considerable objection to its operations in Brooklyn, N. Y.

William E. Cassidy, representing the New England Hospital and Notre Dame Academy in Roxbury, one representing a quarter of a million dollars and the other nearly half a million dollars, objected to any contract which would not safeguard the rights and the comfort of the patients in the hospital and the children in the academy.

James A. Boyd, representing the Savin Hill Yacht Club, objected to the erection of a dumping station on Freeport street, on the ground that it might mean pollution of the beaches, for which the city has spent and is being asked to spend large sums of money.

Commissioner L. K. Rourke stated that, under his interpretation of the contract, if public convenience or necessity therefor was shown, proposed stations could be eliminated or new ones added; that experiments are now being made with wagons which will mean the sealing of the refuse in transportation so as not to create a nuisance, and that all the proposed processes in connection with the stations would be under cover.

John T. Fetherston, a refuse disposal expert in the employ of the Boston Disposal Company, stated what that company proposed to do.

Charles R. Van Etten, connected with the Boston Development and Sanitary Company, stated what that company was doing in Brooklyn and what it proposed to do here.

William F. Morse, a consulting sanitary engineer, stated that destructors of the British type such as the Sterling and the Heenan (proposed to be used by the Boston Development and Sanitary Company and the Boston Disposal Company, respectively), are alike in essential particulars, differing only in minor details of equipment, machinery and methods of operation.

Adjourned at 12.15 a. m., January 4, to meet at 3 p. m., January 4, to hear arguments.

Thursday, January 4, 1912.

The hearing was resumed before the City Council in the Hearing Room, City Hall, at three o'clock p. m., President COLLINS in the chair and all the members present.

George W. Anderson, Esq., argued for the Boston Disposal Company against approval of the proposed contract, and Edward F. McClennen, Esq., argued for the Boston Development and Sanitary Company, in favor of the approval of the proposed contract.

The hearing was closed at six o'clock p. m.

Adjourned.

CITY OF BOSTON.

Proceedings of City Council.

Thursday, January 11, 1912.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair and all the members present.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments:

(1) Cornelius A. Coughlin (299 West River street, Ward 26) and Frank R. Farrell (19 Pierce street, Ward 26), Constables of the City of Boston for the term ending April 30, 1912.

(2) Edward S. Pitman (16 Frothingham avenue, Ward 4) and Charles T. Reardon, Jr. (45 Stonehurst street, Ward 20), Weighers of Coal for the term ending April 30, 1912

(3) Zuleta Gibbs (5 Dale street, Ward 21), Fred G. Harms (4 Lauriat avenue, Ward 24), Jeremiah L. McCarthy (659 East Fourth street, Ward 14) and Thomas H. O'Brien (3825 Washington street, Ward 23), Weighers of Coal, Measurers of Wood and Bark, Measurers of Grain, Weighers of Boilers and Heavy Machinery and Weighers of Beef for the term ending April 30, 1912.

Severally laid over under the law.

DISCONTINUANCE OF WAY STREET SCHOOL.

The following was received:

City of Boston,
Office of the Mayor, January 4, 1912.

To the City Council:

I transmit herewith a communication from the secretary of the School Committee in reply to the order of the City Council "that the School Committee be requested, through his Honor the Mayor, to inform the City Council if anything has been done concerning the discontinuance of the Way Street Schoolhouse."

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Boston School Committee,
Secretary's Office,
Mason Street, January 3, 1912.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,— At the meeting of the School Committee held on Monday, January 1, 1912, the following order was received from the City Council and was placed on file:

Ordered, That the School Committee be requested, through his Honor the Mayor, to inform the City Council if anything has been done concerning the discontinuance of the Way Street Schoolhouse.

In reply I am directed to inform the City Council, through your Honor, that it had been anticipated that the buildings of the new Abraham Lincoln Schoolhouse would provide sufficient additional accommodations to permit discontinuing the occupancy of the Way Street Schoolhouse, which, however, was not found to be the case. The replacing of old buildings by new ones is, of course, dependent upon the amount of money available therefor, and the Board feels that it has made such progress in this direction as is possible. It proposes to consider very seriously including an item in the list of accommodations to be provided during the ensuing year which will result in providing other and more suitable accommodations for the pupils now occupying the Way Street Schoolhouse.

Very truly yours,
THORNTON D. APOLLONIO, Secretary.

Placed on file.

INVESTIGATION OF DWELLING COLLAPSE.

The following was received:

City of Boston,
Office of the Mayor, January 4, 1912.

To the City Council:

I transmit herewith a letter from the Building Commissioner in reply to your request that he investigate the collapse of three houses on Saratoga street, East Boston, on December 28, 1911. The letter is accompanied by a report from the supervisor of construction in the Building Department, which gives the details upon the subject of his inquiry.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Building Department, January 4, 1912.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,— In reply to the order of the City Council requesting your Honor to cause an investigation of the reason for the collapse of three houses on Saratoga street and Bennington street, East Boston, on December 28, 1911, a copy of which order has been referred to me through your office, I would report that in company with Mr. Guy Emerson, engineer for the Finance Commission, I visited the premises Wednesday morning, and found conditions indicating that the report of Supervisor Turner, made as a result of his visit to the premises on the day the buildings collapsed, is a correct statement of the reason for their destruction. The mortar in the cellar walls was new and frozen in places and the walls consequently were more easily disturbed than an old wall would have been.

A copy of the report from Mr. Turner is appended.

Yours respectfully,
ARTHUR G. EVERETT,
Building Commissioner.

—

Building Department,
100 Summer Street, December 28, 1911.

To the Building Commissioner:

I herewith submit a report of a special examination, made upon the following-described premises:

Date of examination, p. m., December 28.

Location of premises, Saratoga street and Bennington street, near Orient Heights, Ward 1.

Material of building, wood.

Size of Main Building.

Feet front, 20 feet 6 inches. Feet rear, 20 feet 6 inches. Feet deep, 50.

Number of stories, three. Style of roof, flat. Roofing not on.

Name of owner, A. Ginsberg; address, 187 London street.

Cause of examination, report by police that buildings were blown down.

Report.

Having examined the buildings on Bennington street and Saratoga street near Orient Heights, East Boston, I found the buildings in process of construction — four on Bennington street and four on Saratoga street; two on each street were blown over.

The foundations for these buildings are piling and concrete footings resting on the piles.

The westerly house on each street was partially boarded in, but the roof rafters were not set. These houses are so located as to be subjected to the full force of the strong northwest gale of December 28. The openings in the cellar and side walls gave opportunity for great wind pressure with a lifting tendency. From the condition of the corners of the foundation or cellar walls, I judge that the buildings were lifted from the underpinning and carried sideways. The cellar walls on the easterly sides of the buildings were destroyed and the frame structure dropped into

Aided from the TRADES UNION LABEL COUNCIL BOSTON, MASS.

the cellar and against the adjoining houses, destroying parts of the underpinning of these adjoining houses and pushing their framework over. The front cellar walls of the buildings on Saratoga street were not built and the cellar was consequently open to the force of the wind.

The work in these buildings was not of the best, but in my opinion, had the walls been boarded and the openings closed, the accident would not have occurred and I do not attribute it to poor construction.

EDWIN J. TURNER, Supervisor.

Placed on file.

COST OF EXTENDING SHAWMUT AVENUE.

The following was received:

City of Boston,
Office of the Mayor, January 10, 1912.

To the City Council:

I transmit herewith a statement from the secretary of the Street Laying-Out Department, giving an estimate of the cost of extending Shawmut avenue to Washington street, Roxbury. This statement is furnished in reply to an order passed by your honorable body at its meeting of December 18, 1911, to the effect that the Board of Street Commissioners be requested, through his Honor the Mayor, to furnish this estimate.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Street Laying-Out Department,
January 10, 1912.

Hon. John F. Fitzgerald.
Mayor of Boston:

Dear Sir,— Replying to the inclosed order of the honorable the City Council, in which this department is asked to estimate the cost of extending Shawmut avenue to Washington street, Roxbury, the Board of Street Commissioners begs to submit the following figures:

Land and building damages.....	$83,992 00
Construction, exclusive of sewers.....	13,830 00
Total.....	$97,822 00

This estimate is based on a street 55 feet in width.

Very truly yours,
J. J. O'CALLAGHAN, Secretary.

Placed on file.

NEW BUILDINGS, LONG ISLAND.

The following was received:

City of Boston,
Office of the Mayor, January 12, 1912.

To the City Council:

I recommend the passage by your honorable body of the appended order appropriating seventy-two thousand dollars ($72,000), which was paid to the city for the Charlestown Almshouse property, to be expended by the Infirmary Trustees in the erection of buildings at Long Island. As a necessary consequence of the sale of the almshouse the city is obliged to provide accommodations for its former occupants. The trustees have long foreseen this contingency and as far back as June 6, 1911, requested an appropriation of three hundred and fifty thousand dollars ($350,000) for new buildings on Long Island, partly to take care of the occupants of the Charlestown institution and partly to provide for the natural expansion of the regular island population. The old people at Charlestown who are to be transferred to the island number about one hundred, and as the present almshouse will have to be vacated by April 1, 1912, it is evident that work cannot be begun too soon on the new buildings. The first step is to make the necessary appropriation and I trust there will be no delay on the part of your honorable body in passing this order. The accompanying letter from the chairman of the Infirmary Trustees gives all the necessary details.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Boston Infirmary Department,
January 11, 1912.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,— On behalf of the Boston Infirmary Trustees I would ask that seventy-two thousand dollars ($72,000), the amount received by the city from the Boston Elevated Railway Company for the Charlestown Almshouse property, be placed in the hands of this department as a beginning of an appropriation for new buildings, Long Island. It is probable that the Charlestown Almshouse will have to be vacated by the first of April, 1912, and the work of construction at Long Island cannot even be started until some money is appropriated. It is estimated that the kitchen and refectory building will cost $58,000 and one of the dormitory sections $15,000. The work on these two buildings should be begun immediately in order to have them in readiness to receive the people from Charlestown. I cannot too strongly urge immediate action in this matter, as it will not be possible to accommodate the Charlestown inmates in the present buildings at Long Island.

I would also respectfully request that a further appropriation of three hundred thousand dollars ($300,000) be granted as soon as possible for new buildings at Long Island, in order that all necessary new construction may be undertaken without delay. The superintendent has repeatedly urged that adequate kitchen facilities, hospital wards, dormitory accommodations and nurses' quarters be provided without delay.

Central Kitchen and Subways.

In 1904 the need of a central kitchen was first brought to the attention of the city government. The need is greater now than ever before, with the addition of 100 inmates from the Charlestown Almshouse, for whom additional dormitory facilities must be provided. There would be a saving in both labor and supplies if one adequate kitchen could replace the smaller scattered ones.

Subways connecting all buildings are a necessary part of the plans for a central kitchen.

Hospital Wards and Dormitories.

Additional hospital wards are needed at the present time and will be still more necessary with an increased population. Beside the Charlestown Almshouse inmates, a marked increase in the population at Long Island is anticipated in the immediate future by reason of the provisions of chapter 669 of the Acts of 1911, which permits the acquirement of a settlement through residence alone, without the payment of taxes. It is estimated that as soon as this law becomes operative it is likely to double the number of admissions to the Long Island Hospital, which will affect the dormitories as well as the hospital wards. Accommodations for these people must be provided.

Nurses' Home.

The present quota of nurses is inadequate to properly care for the hospital population of to-day and present accommodations will not permit the employment of even the full quota allowed. Sixty nurses are needed where forty are allowed and an increase in the number of patients will mean a still further increase in the number of nurses. Accommodations for at least one hundred nurses should be provided without delay.

Trusting that this request may meet with prompt and favorable consideration by the City Council.

Very respectfully,
E. M. GALLAGHER, Chairman.

—

Ordered, That the sum of seventy-two thousand dollars ($72,000), which was paid to the city for the property in the Charlestown district known as the Charlestown Almshouse, be and hereby is appropriated, to be expended by the Boston Infirmary Trustees, for "Long Island, Kitchen, Refectory and Dormitory."

Referred to the Executive Committee.

TRACKS ON BEACON STREET.

The following was received:

City of Boston,
Office of the Mayor, January 12, 1912.

To the City Council:

I transmit herewith a communication from the secretary of the Board of Street Commissioners

in reply to the order passed by the City Council at its meeting of November 27, 1911, that his Honor the Mayor be requested to ask the Boston Elevated Railway Company to lay tracks on Beacon street, from Massachusetts avenue to Charles street, for the accommodation of patrons of said railway.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Street Laying-Out Department,
January 10, 1912.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—In the opinion of the Board of Street Commissioners no action should be taken at the present time on the inclosed order of the City Council suggesting the laying of car tracks in Beacon street, from Massachusetts avenue to Charles street. The city is about to build two subways paralleling Beacon street, which, it seems, ought to meet all the transportation requirements of the territory west of Massachusetts avenue for many years to come. It would be well to await the test of the efficiency of those subways before giving any serious consideration to the laying of tracks on Beacon street.

Very truly yours,
J. J. O'CALLAGHAN, Secretary.

Placed on file.

LAND FOR CITY YARD, EAST BOSTON.

The following was received:

City of Boston,
Office of the Mayor, January 11, 1912.

To the City Council:

A favorable opportunity is offered to obtain property which will serve as the nucleus of a city yard in East Boston by the offer of the George E. Young heirs to sell their wharf on Condor street, adjoining the pumping station of the city, for thirty thousand dollars ($30,000). This wharf contains about 172,176 square feet of land, of which about 26,000 feet is estimated to be solid land and 146,000 flats. The land is assessed for $36,200 and the building for $2,000, making a total assessed value of $38,200. As waterfront property in East Boston is in demand at the present time, the valuation is likely to rise rather than fall. Beside its comparative cheapness the estate has the advantage over an inland yard of being on deep water. With an expenditure of perhaps ten thousand dollars ($10,000) for a stable, office and other improvements, the Young property could be brought up to the same condition as Glendon Wharf, which the city now uses and for which it pays three thousand dollars ($3,000) a year beside the taxes. The debt requirements on a total investment of forty thousand dollars ($40,000) would be much less than the present rental, and for this reason I believe that the investment is an extremely desirable one for the city. In this opinion the Commissioner of Public Works and Mr. John C. Kiley, the real estate expert attached to my office, concur.

I recommend, therefore, the passage of the accompanying loan order appropriating thirty thousand dollars ($30,000) for the purchase of the property in question.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That the sum of thirty thousand dollars ($30,000) be and hereby is appropriated, to be expended under the direction of the Commissioner of Public Works, for the purchase of wharf property on Condor street, East Boston, owned by the George E. Young heirs, and that to meet said appropriation the City Treasurer be authorized to issue bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Daniel J. Ryan, to be paid for sign broken by a Fire Department automobile.

George N. Bosworth, for compensation for damages at 1628 Tremont street by the bursting of a water main in said street and Huntington avenue.

Helen B. and Alice C. Murphy, to be refunded amount paid as sewer entrance fee at 111 Broadway, South Boston

Calumet Grocery and Wine Company, for compensation for damages by the bursting of a water main at corner Tremont street and Huntington avenue.

Helen MacKinnon, for a hearing on her claim for injuries received from a fall on Huntington avenue.

G. H. Lanard, for compensation for personal injuries caused by being thrown from team, corner Waltham street and Harrison avenue, December 1.

Executive.

Mrs. Frederick H. Griggs, for a permit for a child under fifteen years of age to appear at Toy Theater on evenings of January 15, 16 and 18, 1912.

ANNUAL REPORT, TRANSIT COMMISSION.

The following was received:

Boston Transit Commission,
15 Beacon Street, January 11, 1912.

Walter L. Collins, Esq.,
President City Council:

Dear Sir,—I have the honor to transmit herewith, in accordance with the provisions of section 24, chapter 548, Acts of 1894, the annual report of this commission.

By order of the
BOSTON TRANSIT COMMISSION,
B. LEIGHTON BEAL, Secretary.

Placed on file.

APPROVAL BY RAILROAD COMMISSIONERS.

Notices of approval by the Railroad Commissioners, on application to Boston Elevated Railway Company, were received as follows:

For additional transfer privileges, Atlantic Avenue Station, East Boston Tunnel.

As common carrier of baggage, express matter, freight, etc.

For fixing route of Boston & Providence Interurban Electric Railway in the City of Boston and various towns.

Placed on file.

STORAGE OF EXPLOSIVES.

Notices were received from the following-named parties of the storage of explosives at the hereinafter specified locations and of intention to use same locations for ensuing year, viz.:

Adams & Swett Cleansing Company, 124 Kemble street Ward 17.

Theodore H. Tyndale (formerly John P. Shea), 338 Newbury street, Ward 11.

Placed on file.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted by the Secretary of the Commonwealth were received.

Placed on file.

CONSTABLE'S BOND.

The City Treasurer, after having duly approved of the same, submitted the constable's bond of Nathaniel G. Robinson.

Approved by the Council.

FIVE-CENT FARE, HYDE PARK.

A communication was received from the Hyde Park Business Men's Association presenting a resolution in favor of five-cent fare for Hyde Park.

Placed on file.

MUNICIPAL BUILDING LOAN IN FORCE.

The following was received:

City of Boston,
Office of the City Clerk, December 30, 1911.

To the City Council:

You are hereby notified that the order for a loan of $20,000 for Municipal Building, South Boston, filed by the Mayor with the City Clerk on October 30, 1911, not having been rejected or withdrawn within sixty days after the date of said filing, was in force on December 30, 1911, as if adopted by the City Council, under the provisions of section 2 of chapter 486 of the Acts of 1909, and that on December 30, 1911, the Mayor certified that the said loan order was not, in his opinion, to meet a current expense.

Respectfully,
W. J. DOYLE, Assistant City Clerk.

Placed on file.

NOTICE OF HEARING.

Notice was received from the Directors of the Port of Boston of hearing on January 11 at nine o'clock a. m., on petition of City of Boston for public landing at Northern Avenue Bridge.

Placed on file.

MINORS' LICENSES.

President COLLINS submitted reports on petition for licenses for 307 newsboys, ten bootblacks and five vendors—recommending that licenses be granted.

Reports severally accepted; licenses granted on usual conditions.

REFERENCE OF REFUSE PROPOSALS, ETC.

President COLLINS offered an order—That the various communications, proposals and other papers submitted to the City Council relative to the disposal of refuse be referred to the Executive Committee.

Passed.

REPORT OF COMMITTEE OF CHAMBER OF COMMERCE ON DISPOSAL OF REFUSE.

The following was received:

To the Executive Committee and Board of Directors of the Chamber of Commerce:

The city has before it two bids for this contract between which it should make its choice, the other bids being manifestly so high that they deserve no consideration. The two bids in question are the bid of the Boston Development and Sanitary Company (for convenience called the Brooklyn concern) and the bid of the Boston Disposal Company (for convenience called the Boston concern). If the only difference between these bids were the difference in money payments there would be no question that the Brooklyn concern is lower than the Boston, but there is another element of difference which must be taken into serious consideration.

The specifications published by the city offered an alternative. The bidder might furnish the site for his plant subject to certain restrictions, or he might accept the offer of the city to furnish him a site on Spectacle Island free of cost to the contractor. The Brooklyn concern has chosen the latter alternative while the Boston concern has chosen the former and proposed to furnish and use the present site of the garbage works on Spectacle Island. The city owns no land on Spectacle Island and if it accepts the bid of the Brooklyn concern it must either buy or take by eminent domain enough land for a site. It is calculated that three acres, or roughly 130,000 square feet, is sufficient for this purpose and such an area will satisfy the bidder. If this land is taken or bought the city will have to pay for it and will not receive either rent or taxes on it during the life of the contract; whereas, if it accepts the bid of the Boston concern it will not have to pay out any money for land and will be able to tax the site. On the other hand, if the city accepts the Brooklyn concern's bid it will own the land and at the end of the contract it will own such improvements to the land as have become real estate by being affixed thereto, such as wharves, buildings, etc.

Before considering which of these two alternatives is most advantageous to the city we should consider certain legal objections which have been raised by the Boston concern:

1. *The Right to Take by Eminent Domain.*—The Boston concern claims that the city has no right to take land by eminent domain and allow it to be used by a contractor, as is proposed in the present case. We have not gone exhaustively into the authorities, but it seems clear that the city has such a right, and we are informed that that is the opinion of the Law Department. The city can take land by eminent domain "for any municipal purpose by virtue of section 31 of the new charter" (Statute 1909, chapter 486). It would seem too obvious for question that refuse disposal is a municipal purpose and a proper municipal function, and whether it is done by one contract for ten years or by many contracts for one month, one week or one day is wholly immaterial. The city is a corporation, an artificial person, and can do no act by its own hand for it has no physical hand. Everything that it does is done by contract. Everybody who works for the city, whether he works for ten years or one day is in a certain sense a contractor. It would seem absurd that the city could take land to use for municipal purposes by its day labor forces and could not take land to use for precisely the same purposes by contract for a longer term than a day. Where could the line be drawn? Could the city take land and work upon it with laborers hired by the day and not work upon it with laborers hired by the week, or by the month, or by the year?

2. *Construction of the Clause Authorizing the Purchase of the Total Plant at the End of the Contract.*—The Boston concern claims that as the specifications contain the provision that "the city shall have the right to purchase the complete disposal plant and all licenses and rights which may be required to operate the same after the expiration of the contract," the city will not own such buildings, wharves, etc., as the contractor will build upon the land of the city. This reasoning does not appeal to the committee. It is clear that if the city owns the land, anything that is built upon it so as to become real estate immediately becomes the property of the city, although the contractor can use it during the term of his occupation of the land. When he leaves he must leave the land and everything so affixed to it as to have become real estate. Buildings, wharves, etc., ordinarily become the property of the owner of the land as soon as they are placed there, and there is nothing in this contract to vary that rule. It certainly was not the intention of the Commissioner of Public Works, nor was it understood by the Brooklyn concern that buildings and other things which had become real estate should be paid for by the city if the city exercises its option to purchase the plant at a valuation. It was understood by all the parties that all the city should have to pay for was such part of the plant as it did not already own, *i. e.*, personal property, tenant's fixtures, licenses and rights required to operate the plant. This question of construction which has been raised by the Boston concern is however, of only academic interest, as the Brooklyn concern stand ready, if the contract is awarded them, to declare their interpretation of the construction of the contract in such a way as to estop them from setting up the claim which the Boston concern suggests.

Several other points have been argued by the Boston concern against the bid of the Brooklyn concern, none of which seem to be of much consequence:

1. *Water.*—It is claimed that under the wording of the published specifications the city is obliged to furnish water on Spectacle Island if it furnishes the site and not otherwise. We are not prepared to admit that the specifications would bear this construction. On page 19 of the specifications it is stated that "if the contractor so desires, the city will furnish, free of cost to the contractor, a lot at Spectacle Island in location and area as shown on plan on file in the office of the commissioner, and of sufficient area for the location and operation of his plants; and will furnish city water to the contractor at meter rates." On page 21 it is provided that "the contractor may establish a plant for the reduction of garbage in a location satisfactory to the commissioner and

the health authorities having jurisdiction over the proposed location, but such location shall not be upon the main land within the city limits." We understand that it is under the second quoted clause that the Boston concern bids and proposes to furnish its own site. Whether the first quoted clause would oblige the city to lay a pipe to Spectacle Island if the city furnished the site, and not lay a pipe to Spectacle Island if the contractor furnished his own site under the last quoted clause, is perhaps doubtful; but as a practical matter it is of no consequence, as the Commissioner of Public Works intends to lay a water pipe to Spectacle Island in any event, and we are assured that the representatives of the Boston concern were perfectly aware of that fact when they made their bid.

2. *Filling.*—The Boston concern claims that they intend to fill certain flats in East Boston, and that therefore their contract is more advantageous to the city as it will produce taxable land. The Brooklyn concern also intends to fill along the water front, and indeed it is hard to imagine how any contractor could fail to do so,—that is the most natural disposition of the ashes,—so in this respect the two proposals seem to be equal.

3. *Descending Scale of Payments.*—The Boston concern argue that as the annual payments to be made by the city decrease from year to year under their bid, the city will be in a better position at the end of the contract to renew or make another contract upon a similar descending scale. This argument does not impress the committee. At the end of the contract a new contract will have to be made, taking into account all the circumstances as they then exist. It will we hope be open to free competition and the method of payment adopted between the city and the previous contractor certainly ought not to affect it.

4. *Type of Incinerator.*—The Boston concern claims that the Brooklyn concern proposes to use an inferior type of incinerator. The committee does not feel competent to pass on this question. It is an engineering question and must be decided by the city authorities, who no doubt will insist that whoever gets the contract shall use proper equipment. It is, however, to be borne in mind that neither concern proposes to incinerate garbage, except as small quantities of garbage may be mixed with combustible refuse and ashes.

5. *Domicile of Contractor.*—The Boston concern insists that its bid should be accepted in preference to the bid of the Brooklyn concern, because it is a local and domestic company. In the opinion of the committee this point is not well taken. If we invite outsiders to bid on our contracts we should not reject their bids because they are outsiders. To do so violates sound principles of fair dealing and would be extremely bad policy.

The Chamber of Commerce has employed a well-known firm of expert accountants to work out the figures upon the two bids. Copies of their report have been sent to the Mayor and to all the members of the City Council. In it the figures are gone into fully and fairly, and even putting in the land at $50,000 the finding of the accountants is in favor of the Brooklyn concern.

The accountants have not allowed interest on the saving that would be made by the city in the early years of the contract if it accepts the Brooklyn concern's bid,—such interest alone compounded at 4 per cent amounts to about $18,000,—on the other hand, they have not allowed interest on the cost of the land. We are satisfied that they are right in both respects. But suppose we disallow interest on the saving in the earlier years on the theory that the payments are made out of current revenue and allow compound interest at 4 per cent with annual rests on the price of the land, on the theory that the land may be paid for by a loan, and call the price $50,000, which is the most favorable view for the Boston concern, we then have—

New land	$50,000 00	
Compound interest on price of new land for ten years at 4 per cent with annual rests	24,012 05	
Loss of taxes on new land and on machinery removed from old plant for ten years (see accountants' report, page 3)	3,976 50	
		$77,988 55
Against this we have the actual advantage in the price of the Brooklyn concern's bid over the Boston concern's bid without interest	$11,738 00	
New land	50,000 00	
Buildings on new land	250,000 00	
		$311,738 00
Or a difference in favor of the Brooklyn concern of		$233,749 45

There are certain elements of uncertainty in this calculation. The land may be got for less than $50,000. In that case the compound interest will be materially lessened, also the land probably will rise in value in the next ten years. These considerations are in favor of the Brooklyn concern. On the other hand the buildings may be worth less than $250,000 at the end of the contract; if so, that will decrease by so much the advantage of the Brooklyn concern, though the city authorities should see to it that good buildings are built and that they are properly maintained.

Even taking every contingency in favor of the Boston concern the margin in favor of the Brooklyn concern is still seen to be large.

There is a further consideration which should not be overlooked. The land which the city proposes to take is a very small part of Spectacle Island. The whole island, except a portion occupied by the United States Government, is assessed at seven cents a foot. The piece which the city will take would, at that valuation, cost $9,100, but if the city is obliged to pay $50,000 for it the city could very fairly and properly raise the assessment on the rest of the island to correspond, and this would mean a very material increase of revenue.

Besides the above-mentioned advantages which the bid of the Brooklyn concern has over the bid of the Boston concern, there is the advantage that, if the city contracts with the Brooklyn concern, it will own the site upon which the garbage works are situated. This will give the city a tremendous advantage in dealing with contractors in the future, and is of greater importance than any of the above-mentioned considerations.

Respectfully submitted,

WILLIAM B. MUNRO, Chairman,
FRANCIS R. BANGS,
MARSHALL F. BLANCHARD,
SAMUEL B. CAPEN,
ADAMS D. CLAFLIN,
STURGIS COFFIN, 2d,
WILLIAM C. EWING,
DESMOND FITZGERALD,
HENRY E. HAGAN,
LEONARD METCALF,
WILLIAM P. O'BRIEN,
RENTON WHIDDEN,
JOSEPH R. YENDLEY,
Committee on Municipal and Metropolitan Affairs.

NUGENT FALLON,
STEPHEN S. FITZGERALD,
AMASA C. GOULD,
GEORGE W. PRATT,
Associate Members,

Placed on file.

SALE OF DESKS, ETC.

Coun. BALLANTYNE offered an order—That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to sell at a nominal price to the former members of the Board of Selectmen of Hyde Park who held office at the time of its incorporation as part of the City of Boston the chairs and desks used by said members.

Passed.

ROPING OFF OF STREETS.

Coun. ATTRIDGE offered an order—That the City Messenger rope off Union Park street, from Washington street to Harrison avenue, and Washington street, from the elevated structure to the Cathedral of the Holy Cross, and from Union Park street to Malden street, on February 1, between the hours of 9 a. m. and 1 p. m., on

the occasion of the exercises celebrating the return from Europe of his Eminence Cardinal O'Connell, the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses.

INVITATION TO CITY PLANNING CONFERENCE.

Coun. HALE offered an order—In view of the expected city planning activities in Boston and the metropolitan district during the year 1912, the invitation extended to the National Conference on City Planning to hold its 1912 meeting in Boston is now renewed, and in order to determine what can be offered the conference in the way of entertainment, a committee be appointed to confer with civic bodies in Boston interested in the improvement of the city and report the result of their conferences to the executive committee of the conference.

Passed.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up No. 1, unfinished business, viz.:

1. Action on appointments submitted by the Mayor December 29, 1911, of A. Bertocchi, Fred H. Gage, Gershon Greisdoff, Harold B. Hunting and Hattie B. B. Randall, to be Weighers of Coal.

The question came on confirmation. Committee —Coun. Curley and Buckley.

Whole number of ballots cast 9, yeas 9, and the several appointments were confirmed.

PLAYGROUND, WARD 23.

President COLLINS called up No. 2, unfinished business, viz.:

2. Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of twenty-five thousand dollars ($25,000) from the appropriation for Reserve Fund to an appropriation, to be expended under the direction of the Park Commissioners, for Playground, Ward 23.

President COLLINS—On December 18, 1911, the foregoing order was read once and passed, yeas 6, nays 2. The question now comes on giving the order its second and final reading and passage.

The order was given its second and final reading and passage, yeas 7, nays 2, Coun. HALE and SMITH voting nay.

PLAYGROUND, WARD 25.

President COLLINS called up No. 3, unfinished business, viz.:

3. Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of $15,000 from the appropriation for Reserve Fund to an appropriation, to be expended under the direction of the Park Commissioners, for Playground, Ward 25.

President COLLINS—On December 18, 1911, the foregoing order was read once and passed, yeas 6, nays 2. The question now comes on giving the order its second and final reading and passage.

The order was given its second and final reading and passage, yeas 7, nays 2, Coun. HALE and SMITH voting nay.

INMATES OF ALMSHOUSE.

Coun. BUCKLEY called up No. 4, past assignment, viz.:

4. Ordered, That his Honor the Mayor be requested to furnish a home on the mainland for the aged inmates of the Charlestown Almshouse when said almshouse is discontinued, and that the aged married inmates be granted the same treatment as they now enjoy.

Referred to the Executive Committee, on motion of Coun. BUCKLEY.

RECESS TAKEN.

The Council voted, at 3.22 p. m., on motion of Coun. BALLANTYNE, to take a recess subject to the call of the President.

The members reassembled in the Council Chamber and were called to order by the President at 4.45 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Report on message of Mayor, communications and order (referred December 18) for transfer of $8,000 for repayment of Columbia road assessment—that the order ought to pass.

Coun. SMITH—Mr. President, I think I asked that the original vote be rescinded, and I did so on the evidence as submitted by Mr. Babson; but in talking it over with Mr. Leahy, I have come to the conclusion that the only just thing to do is to pass this appropriation, in order that all the abutters on Columbia road may be treated alike. It seems to me a thoroughly vicious principle to give back to the abutters on any street any part of the assessments for improvements that they have paid in, and I hope that the action of the Council in this Columbia road matter will not be taken as a precedent. The Law Department settled with part of the abutters on Columbia road for 5 per cent of the betterment charges, and by doing that they established a precedent for all of Columbia road. After that settlement some of the other abutters came in to the Street Commissioners and demanded in fairness that they be given a part of their betterments, which was done, and created the confusion which now exists on these betterment charges. The only way out of the tangle seems to me to accept the act of the Legislature treating all of the abutters alike. But in doing this I hope it will not be taken as a precedent for paying back betterment charges on other streets in this city. This is an exceptional case. The betterment charges were only 10 per cent of the expense to the city, and the paying back any part of that small betterment charge seems to me to be thoroughly vicious in principle. Of course we ought not to adopt it on other streets, and I hope it will not be taken as a precedent.

Coun. CURLEY—Mr. President, I trust that the order will pass. I am somewhat familiar with it. It is a special act of the Legislature, and I don't think that the gentleman on the other side of the Chamber need have any uneasiness about the prospect of establishing a precedent, because, after all, the only way that a precedent can be established is by having a special act passed in each case. I don't think there is any possibility of any such general course of legislation as that being seriously considered by the Legislature.

Coun. SMITH—Of course, Mr. President, my only interest was that other bills of similar import should not be introduced into the Legislature. We don't want to establish a precedent by rebating the betterment assessments on Columbia road for other streets that are to be built, having the abutters come in here and ask for a rebate on their betterment charges. I take it for granted that Coun. Curley would not care to have the New Haven road, for instance, come in here and ask for an abatement on their charges at Arlington street, even though they came from the Legislature under a special bill.

Coun. CURLEY—Mr. President, in response to the suggestion I would say that I don't think I would, but I question whether the same position would be taken in that case by my friend on the other side of the Chamber.

The report was accepted and the order was passed, yeas 9, nays 0.

(2) Report on petition of Mrs. Frederick H. Griggs (referred to-day) for permit for a child under fifteen years of age to appear at Toy Theater on evenings of January 15, 16, 18, 1912—that a permit be granted.

Report accepted; permit granted on the usual conditions.

(3) Report on petition of Roxbury Historical Society (referred December 18) to change the names of certain public squares in Roxbury—recommending reference to the Committee on Public Lands.

Report accepted; said reference ordered.

(4) Report on order (referred December 29) to rescind Columbia road assessments—that the order ought not to pass.

Report accepted; said order rejected.

APPROVAL OF GARBAGE CONTRACT.

Coun. ATTRIDGE submitted the following:

The Executive Committee, to which was referred —December 13—the communication from the Commissioner of Public Works and the proposal of the Boston Development and Sanitary Company for the disposal of refuse, together with the various papers and communications submitted at the public hearings, having considered the subject, respectfully return the same herewith, and recommend that the contract with the Boston Development and Sanitary Company be approved by the City Council.

For the Committee,
JOHN J. ATTRIDGE, Chairman.

President COLLINS—The Chair will divide the question. The first question comes on accepting the committee's report.

The report was accepted.

President COLLINS—The question now comes on the Council's approving the contract with the Boston Development and Sanitary Company as recommended in the communication which has just been read.

Coun. BALLANTYNE—Mr. President, I suggest that when the vote is taken it be by roll call.

President COLLINS—The question now comes on giving the contract the approval of the Council.

Coun. SMITH—Mr. President, ever since I have been a member of this body this matter has been up for consideration and in dispute. I think we have had three sets of bids, and this is the third. I have endeavored to give the matter my unbiased, careful attention. I have been down to Staten Island to see the incinerator there. I have been down to Spectacle Island, have read all the literature on the subject and attended the hearings, and I have attempted to consider the different arguments as presented and to decide the matter in my own mind without any discussion with other members of the City Council as to how they were going to vote or why they were going to vote, and without heeding the advice of one of the attorneys, that this Council is not to pass upon the merits of the different bids but is merely to reject or accept the commissioner's decision. I think that under the charter we are obliged, as representatives of the people of this city, to decide the matter on its merits, regardless of what any other body in the community sees fit to say on the subject. I do not want to delay the Council, because I realize that the vote has already been decided in the committee. But I do wish to say a few words, as a matter of record. First of all, I would like to say that I want to thank the Chamber of Commerce for the work they have done on this subject. They were largely instrumental in causing the rejection of the first bid and in bringing about a new set of bids, by publishing all over the country the specifications that the commissioner prepared. We owe them, I think, our sincere thanks. I want to take up the subject according to the various arguments that have been developed, and I have written out different headings in order to delay the body as little as possible. The first argument was one which has been used a great deal in the Press—that we ought to give this to Boston capital, Boston men, merely because they were Boston men and represented Boston capital. I have absolutely no sympathy with that argument. It seems to me that the city should get the best service possible wherever it comes from, no matter whether it be New York, Boston or elsewhere; that we ought to approach as nearly as possible to the German plan. The second argument brought out was that one company was less reliable than the other. It seems to me that that statement is absolutely groundless. Both companies have filed the necessary bonds; the Commissioner of Public Works has looked into them and found that their make-up was reliable, and I see no reason for giving preference to either one because of its reliability. The third argument brought up was that the Council ought not to inquire into this matter, that it ought simply to decide whether the city's money was being economically used and leave all matters of detail to the Commissioner of Public Works. We did this in the lighting contract. We set aside a lump sum of money to be used by the Commissioner of Public Works. I did that out of deference to certain bodies in this city. I think now, perhaps, it would have been better to set aside a certain amount of money for experimentation by the Commissioner of Public Works, and not to have tied up for this long period $600,000 which might have been used for other municipal purposes. At that time it seemed to me that the best method was experimentation, and a decision by the Council later when we had some facts before us. And so in this case I believe we are to judge the case on its merits, going into the details of both plans and not deciding simply whether we are getting a dollar's worth or not. That is only one phase of the contract. Then the argument was brought up that the city had no right to use its power of eminent domain to take land for one of these bidders; that the right of eminent domain was simply to be exercised where the city itself was to use the land taken for municipal purposes. I think that has no bearing on the matter. I think it is perfectly competent for the city to take land by eminent domain and turn it over to a contractor to use for a municipal purpose. Then, much has been made in certain quarters of the point that the city would own a tract of land at the end of ten years which could be used for a garbage disposal plant. If we have the right of eminent domain, as seems assured, we have the right to get that land at any time, either now or at the end of ten years; so it seems to me that point has but little weight in deciding this contract. Furthermore, it is brought out that the city has plenty of land for this purpose, and with that I am more than half inclined to agree. It is hardly necessary to take any land under the right of eminent domain, but if it is we can do it at the end of ten years just as well as we can now. Then, an argument was made that the location of the plants favored one bidder over the other. It was said that one company intended to put its incinerator plant in East Boston and that the other company had not settled where it would put its incinerator plant. One company stated that it had made arrangements to fill flats in East Boston; the other said that it had made arrangements to fill flats in Neponset, Quincy or Lynn. It seems to me in the matter of filling there is a slight advantage with the Boston concern, in the fact that the New York concern has not definitely stated where its incinerator was to be placed and just what flats it was going to fill. It may or may not fill flats in Neponset. In regard to the cost of this contract to the City of Boston, probably more has been said on this point than on any other one point. The greatest difference of opinion exists on this point, ranging from nearly $300,000 down to $11,000. But I think it is clear that the Brooklyn concern is the cheaper of the two concerns. I do not care to enter into a long discussion, because I realize that it is useless, as to just how much cheaper it is. I am perfectly willing to take the figures of the Finance Commission, that, outside the building, the Brooklyn concern is about $57,000 cheaper. If that is so, it makes a difference of only a little over $5,000 a year on a ten-year contract. Nevertheless, if there were no other arguments to be taken into consideration I would gladly vote for the cheaper of the two bidders. But it seems to me there are two final arguments to be taken into consideration which overweigh this argument of cheapness. The first is this, that one contractor has bid on an ascending scale of prices, the Brooklyn concern charging to the city more each year for the service rendered, so that at the end of ten years it is charging a maximum price, its argument being that the more refuse there is to handle the more it costs them to do the work. The other contractor, the Boston concern, says: "We have developed the means of getting by-products from this city waste. Those methods have developed largely in the last ten years, and they are developing constantly. We are satisfied that we can make a certain amount of money out of the by-product from city waste, and that as the years go on the greater the quantity that is turned over to us the more money we can make." It seems to me that is a thoroughly sound principle to go on, and that it has great significance for the city. If that can be done the city is gaining the advantage of it, because it is paying less and less as the years go on, and at the end of the ten-year

period we will be in a better position to make a long contract with any new contractor. I think that fundamentally is a sound principle. It may even lead to the time when we can get rid of our city waste for nothing. The hooks of the company are to he open, and if we find that tbe contractor is making a large amount of money during the next ten years, that these by-products are a great benefit to him, it may be that at the end of tbat period we can make a contract calling for very little expense on the part of the city, and I think the principle of the decreasing scale of prices is important. But the second of these arguments is the one that weighs with me the most—that the city is getting a more sanitary plan with the Boston company than it is with the New York company. As I say, I have heen over there and have seen the incinerator in New York, and I have listened to the arguments presented and have seen the plans wbich Mr. Emerson tells us are a part of the contract, the plans submitted hy each company, and in my humhle judgment the plans submitted by the Boston company are more definite and will give hetter service to the city. The great difference is just here: the Boston Company takes everything except the clear garbage, sifts it to get out the fine stuff, and then incinerates the whole mass. The New York company says: "We are going to take the clear garbage and send it to Spectacle Island, and then we are going to take everytbing tbat seems to us to be clear ash and dump it straight on the flats." That is just the point of weakness; whatever they think is fit to dump at once they are going to dump at once. As a load comes down to the wharf they are going to decide from the outside appearance of that load what is in it and where it should go, whether it should be incinerated or should go to the flats. Nobody can stand here in this Council and bonestly maintain that the city inspection is so thorough that anyhody can tell in a load of ashes whether it contains animal or vegetable matter that is apt to cause a nuisance on a dump. I doubt very much whether every load of ashes coming to that dump will be inspected. If it is, I am sorry to admit that I don't think inspection will aid in protecting the city against a poor dump. If the practice in the Building Department is any criterion of inspection of those loads of ashes, coming in in that way I think it will he of very little help. We already bave inspection of huildings in this city, and are supposed to enforce the building laws, and yet we find huildings falling down and blowing over, with consequent loss of life; and I tbink that the inspection of these ashes—and I am not reflecting on Mr. Rourke's department at the present time—hy the city over a period of ten years is apt to break down for the greater part of the time, and that the ashes turned over to the Brooklyn company, if tbat is to be the company, will he poorly inspected and that tbe result will be very bad dumps in this city, dumps containing a large amount of vegetable and animal matter. There were figures shown to us indicating that the average refuse collection has 13 per cent of garbage now, and some times tbat the percentage goes up as high as 35 per cent. The system of separation has evidently failed in this city. No pretence is made of separating into the three classes the refuse in the North and West Ends, and you are hound to get mixed loads of refuse collected in that way, and I defy anybody to absolutely protect us from having some of those mixed loads put on tbe dumps in this city. For instance, a load may come down from an office huilding in the heart of the town, which looks like clean ash. But there may he a lunch counter in the hasement of an office huilding, for instance, and stuff would he taken from that first containing a good deal of garhage; then refuse might he taken from the rest of tbe huilding, putting seven or eight harrels on top, of clean ash. When that load comes along they will say, "of course, that is clean ash," and it will be put straight on the dumps, and yet there will he two or three barrels of refuse, containing garhage, at the hottom. The question comes whether that is a danger to the city or not, and I would not leave that on my own authority. In order to find out whether such a dump would be a menace to the city from a sanitary point of view I went first to Doctor Walcott, the head of the State Board of Health, and he came out flat-footed with a statement that refuse of that kind, coming from dwelling houses or other places, ought not to be treated otherwise than hy incineration, that it ought not to go on a dump. Then I called up Doctor Magrath, the medical examiner, and be was emphatically of the same opinion. Then, to make doubly sure, I called up Dr. Hugh Cabot, of the Massachusetts General, and he again was emphatically of that opinion; and I came to the conclusion that what we wanted in this city was to protect the citizens from unsanitary conditions, and tbat if the Brooklyn concern got the contract it could not in the nature of things thoroughly protect the citizens of Boston from unsanitary conditions on the dumps. In my opinion that outweighs every other consideration, and especially when the only other consideration is a matter of $5,000 or $6,000 a year. What we are doing is taking care of the health of this city. That is the primary object. We are wasting every year many thousands of dollars, and an item of $5,000 or $6,000, as weighed against the healtb of this city, is of very small import. I submit tbat that is the main reason of my voting for the Boston concern, hecause they treat the refuse, under the plans which they have filed and whicb are a part of the contract, in a more sanitary way. I am not going to carry the matter any farther, Mr. President, hecause I don't expect to change any of tbe votes by my argument. That is futile, useless. It always is. But at the same time I wish to state my reasons clearly bere, because I believe that the citizens of Boston will look at the matter in much the same way. We don't want to save $5,000 or $6,000 nearly as much as we want to wipe out the horrihle dumps that now exist around this city, and not only wipe out those dumps hut protect ourselves for the next ten years against any unsanitary conditions existing on the dumps. That, after all, is the main consideration, and I suhmit that it is the main consideration with me in voting against the recommendation of the Commissioner of Puhlic Works.

Coun. HALE—Mr. President, I would like to say a word or two as to my position on this garhage contract. I was very much interested in what Coun. Smith had to say ahout the sanitary features of the matter. Of course the rest of us have been interested in the sanitary side as well as be. I don't know whether he rememhers the public bearing two years ago in wbich this whole question of the sanitary side was gone into very carefully by many experts. Of course he is right that that is the most important feature. The other important feature is the financial side. There does not seem to be very much question about the financial side. The Finance Commission has given us figures which are indisputahle, showing a difference of $57,000 in favor of the Brooklyn company, without regard to the cost of the buildings, which should not he ignored—and that will amount, at any rate, to $75,000 more. That will make, instead of $57,000, $132,000, which is the difference between the hids. One element in the financial side, as counterhalancing that difference of $132,000, Mr. Smith brings in, *i. e.*, the ascending and the descending scale. I personally do not give very much weight to that argument, for two reasons. In the first place, at the end of tbe ten years, when this contract expires, the whole thing is to be gone into just as carefully as we have gone into it. I think tbat is a fair assumption. I don't helieve that mankind is going to degenerate and that we are going to have a very terrihle city government at that time. The city government at that time will have an additional advantage, in that the hooks of tbe company to which we will give tbis contract will he open during the whole ten years, so that it will he possible and comparatively simple to find out exactly what the products of these companies are, so that a company cannot come in and say: "The amount which you paid us this last year will be the test of what we will get in the future." My second reason for not considering this argument very seriously is that I helieve, although I am not a great prophet, that at tbe end of ten years we will have a radically different manner of managing this whole affair. I for one believe seriously that at the end of ten years we will eitber have complete city ownership of the garhage disposal plant or at any rate a profit-sharing scheme which will divide tbe profits hetween the contractor and the city. For that reason I think that that argument about the ascending and the descending scale is a very trivial one. And even if it were a serious one it cannot be put up against tbe argument of $132,000 in cash. On tbe sanitary side, I think tbe fallacy in Coun Smith's argument is simply this, tbat the conditions which he has described as terrihle, and which would be terrible, we all admit, are based on an absolutely open, clear breach of the

contract. The specifications say as to tbe dumping of garbage: "In no case will tbe dumping of garbage, or refuse containing any mixture of garbage, be allowed." The quotations he made from these medical authorities were not fully clear to me, but I have gone into the question thoroughly myself, and I do not believe tbat a dump which has ahsolutely no garhage in it is unsanitary. It may be had to huild on, it may take a greater amount of material on account of a 50 per cent depreciation, it may have to lie there longer before you huild a house on it. But there is nothing absolutely unsanitary ahout it unless you are getting some organic matter in it. That was the evidence that came in here two years ago at a public hearing, and I believe it is sound. Now the only way in which you can get organic matter into these dumps under the proposed contract is by a violation of the contract, and I believe, as Mr. McClennen pointed out the other night, there is no reason for anticipating violation of the contract in one respect any more than in other respects. Either one of these companies may violate its contract in a hundred different ways. The Boston company may never put up an incinerating plant, and that would be a breach of contract, and that is all that there would be if the Brooklyn company put garbage in the waste that was put on the dumps. In either case you would have a breacb of contract. That is a matter tbat I think cannot be put too strongly. The whole of Coun. Smith's argument is founded on the implication that the Brooklyn company, which on his own statement is just as reliable as the Boston company, is going to violate its contract. He speaks ahout improper city inspection. The city inspection is not the whole thing. If Commissioner Rourke finds out that the situation is not heing met as it should be, that the contract is not heing complied with, or if the Board of Health finds anything wrong, it can be found out whether things are heing done that aie not satisfactory to the city, that do not comply with the contract, and the thing can he remedied; and, as Mr. McClennen stated at the hearing, the minute it is found that organic matter is being dumped that ought to be incinerated, action can be taken so that it will be incinerated. It seems to me that the sanitary features of tbe requirements in the case of either of these companies are exactly the same, and I should be very slow in accepting a different argument, wben you consider the people who have gone into this thing, from a sanitary point of view. We have Mr. Bangs, for instance, who has probahly gone into this subject more carefully than any other man in this city. He was on two expert commissions, each of which had a health man on it; he studied the matter very carefully, and he has stated that he sees no difference in the sanitary features, that the contract is strong enough to prevent either being unsanitary. I think we ought to accept the opinion of an expert like that, who has gone into this particular question, and not get off on the point of whether dumps containing organic matter are sanitary, because we will agree on that. I say that I think we ought to abide hy the decisions of the experts on the sanitary features of the contract, and I think there is no dispute in regard to the financial side. Therefore I shall take great pleasure in voting "Yes" on this proposition.

Coun. BUCKLEY—Mr. President, the principal argument with me at this time against approving this contract is this, that last year we appropriated $300,000 for the purchase of a lighting plant. It seems to me that this is a matter that deals vitally with the healtb of the people of the City of Boston. It is a thing that the city ought to do itself. Mr. Hale suggested that at the end of ten years the city might own its own plant. If it ever intends to own its own plant, it seems to me that now is the time for it to begin, and I believe it should huy its own plant at this time. It may take a little longer, but it seems to me the city ought to do the work for itself, and not be letting this out by contract. But if it does let the work out to a contractor, I believe ahsolutely in being witb the home people. Where the difference in price is so small, $11,000, I believe Boston people ougbt to be favored. I was rather surprised that the Chamber of Commerce, wbich is doing so much to build up the city, should decide against purely Boston capital. I have no reason to be friendly to the Boston capitalists, but at the same time I believe in this principle, thoroughly, that where there is such a small difference, everything else being equal, we ought to favor the home people at all times. Because of that I would a great deal prefer to see the Boston Disposal Company — and I know none of the people wbo are stockholders in it — get the contract. But my principal objection to it is this, that I helieve tbe City of Boston itself should do its own collection and disposal of garbage. It should install its own plant, do its own experimenting, develop its own property, using the ashes and other materials for fills. That is my principal reason for opposing the contract which has been approved by tbe Commissioner of Public Works. Of course, you have tbe votes, and it is possible that at the end of ten years this contract may lead to the city doing its own work in these respects. But I believe it ought to begin at the earliest opportunity, and I believe that the time is now.

Coun. SMITH—Mr. President, I would not say anytbing more if I did not feel that Coun. Hale had misunderstood or at least misstated one of my statements. I think this is a purely practical matter. It is not academic. If he tbinks he can make the contractor comply absolutely with provisions for the inspection of refuse which comes to the wharf, why not hegin on the collection? He has got plenty of statutes and ordinances now to help him. Why cannot he make a separation? Commissioner Rourke has thrown up his hands, has practically stated that it is impossihle. There are already in the city ordinances three different classes of separation provided for, and yet we do not attempt to make the householder classify his stuff in large sections of this city. That stuff is coming down in a mixed condition to the wharf, and we are going then to try to perform the miracle of saying whether it is clean or whether it is mixed. Coun. Hale seems to tbink that the city inspector will he able to decide, what he has not heen able to enforce previously — whether a load tbat comes is clean or mixed. One company says, "We will abide by that inspection and we will send it either to the dump or to the incinerator, according to the result." But I say as a practical matter, that tbat stuff will not come down clean and you cannot decide from the top appearance of the load whether it is clean or not. Certainly, some of the animal and vegetahle matter, some of that 13 per cent of garbage which is contained in the mixed refuse, is going to get on the dump and be a menace to the health of this city. Why he thinks he can have one inspection in one department and not in another, I fail to see. If be believes that our ordinances in regard to inspection can and will he enforced, why not begin on the Building Department? I think that if he comes down to a practical view of the matter he will find large scope for his endeavor in city affairs, as they stand now, without adding to them this contract. I do not say that one concern is any more or less reliahle than the other. I give them the benefit of the doubt in that respect. I simply say as a practical matter that where you have mixed refuse coming to the dump, and leave it open to one of the contractors to dccide what to do with it, you will have resulting bad fill, with resulting danger to the sanitary conditions of this city. But if you have that stuff sent into an incinerator, you protect the city's health. The findings of the Hibbard commission, of wbich Mr. Bangs was one member, were to the effect that incineration was the ideal method. The Boston concern, under the specifications which it has filed and whicb are part of the contract, more nearly approaches complete incineration than the other. The Brooklyn concern practically states that only a part of the material it intends to incinerate. I think that incineration is the ideal method. I would even go so far as to say that I think the finances of this city are in a condition where we could have a complete incineration, and not go wohhling around for over a year deciding what specifications we shall have in connection with this contract. I helieve that is entirely aside from the point. The point here is, which contractor more nearly approaches the ideal? And I suhmit that the Boston concern more nearly approaches complete incineration and that, therefore, it would more surely protect the sanitary conditions in this city.

The Council voted to approve the contract witb the Boston Development and Sanitary Company, as made by the Commissioner of Puhlic Works, yeas 7, nays 2, Coun. BUCKLEY and SMITH voting nay.

Coun. BALLANTYNE moved to reconsider, trusting it would not prevail; lost.

FLAGS ON CITY BUILDINGS.

Coun. CURLEY offered an order—That under the provisions of section 9 of chapter 2 of the Revised Ordinances of 1898 his Honor the Mayor be requested to instruct the beads of the various departments to have the flag of the United States displayed on the public buildings of the City of Boston on every week day tbroughout the year, weather permitting.

Coun. CURLEY—Mr. President, I would say that this order is prompted by receipt of the following letter:

Headquarters Department of Massachusetts,
Grand Army of the Republic,
State House, Boston, January 1, 1912.

Hon. James M. Curley,
Councilor, City of Boston:

My dear Sir,—During the month of April, 1911, I forwarded to his Honor the Mayor a request that the Council of the City of Boston order that the United States flag be displayed upon all municipal buildings in the City of Boston on all days of the week excepting Sunday, when the weather permitted. My request was referred to the Council, which later, in the month of May, acted upon it. An order was passed, stating without qualification, that the United States flag should be displayed on all municipal buildings on every day of the week excepting the Sabbath Day, the weather permitting. This order became a law May 18, 1911, but no attention has been paid to it by those in charge of the various municipal buildings.

I have called the attention of Coun. Collins (while he was acting as Mayor of the City of Boston) several times to tbe fact that the order of the Council was seemingly treated witb contempt by those in authority. He has, I believe, honestly tried to have this order complied with, but has met with no success, as the only times when the flag has been displayed on municipal buildings has been upon holidays.

If there had been a penalty for nonobservance of the order attached to it, as is the case in the law passed by the Legislature of 1911, whereby failure to display the flag upon schoolhouses in the Commonwealth on all school session days, was punished by a fine of $5 for every neglect to display the flag, I think the order of the City Council would have been obeyed.

In view of tbe fact that the City of Boston, the most patriotic city in tbe nation, treats, by the action of its servants, in a most contemptuous manner the flag of our country, which is the only visual representative of the nation, by failure to display it, even when the mandate of law requires that it should be done, and with a view to rescue the flag from a position of seeming disgrace, I very respectfully ask you to offer a motion at tbe next meeting of the Council, rescinding the order of May, 1911, to display the United States flag upon all municipal buildings in the City of Boston.

I have the honor to be
Very respectfully,
Edward O. Skelton,
Patriotic Instructor.

I would say that it was my purpose to amend the ordinance, providing a penalty for failure to display the flag, but I understand tbat legally we have no right to affix a penalty to the failure of a servant of the City of Boston in complying with an ordinance of that character. For that reason, I bave refrained from providing a penalty for failure to observe this ordinance. I do feel, bowever, that it is the duty of the Mayor to instruct the various persons in charge of municipal buildings to see that the flag is displayed, as requested by the patriotic instructor of the Grand Army, and I trust that the order will pass.

President COLLINS—Tbe Chair will state that what the gentleman has said is true. He did call my attention to the matter, and the difficulty witb which I have met has been similar to that which Coun. Curley has just discovered in the way of enforcement.

The order was passed.

PUBLICATION OF PRECINCT STREET BOOKS.

Coun. ATTRIDGE offered an order—That the Board of Street Commissioners be requested to prepare an edition of fifteen hundred copies of a list of streets, avenues, courts, places, etc., by wards and precincts, showing numbers and divisions of those extending through more than one ward or precinct, together with the location of hotels, apartment houses, etc., tbe same to be printed as a public document, the expense of same to be charged to the appropriation for Incidental Expenses, City Council.

The question came on the passage of the order.

Coun. SMITH—Mr. President, may I ask when tbe last book was gotten out?

Coun. ATTRIDGE—The last edition of the street book, so called, was issued, I understand, five years ago. The edition then issued is now exhausted. Since that edition was printed many new streets have been laid out and accepted, and since tbat time Hyde Park has become a part of Boston. Those are the reasons why I introduce the order at this particular time. Five years ago, as I understand, the edition that was ordered was of the same number, 1,500.

The order was passed.

ADDRESS OF SOMERS TAX SYSTEM.

Coun. SMITH offered an order—That bis Honor tbe Mayor be requested to invite Mr. E. W. Doty, 201 Caxton Building, Cleveland, Obio, to address his Honor the Mayor, the City Council, the Finance Commission and the Board of Assessors on tbe Somers Taxation System. Passed.

THE NEXT MEETING.

On motion of Coun. KENNY it was voted that wben the Council adjourn it be to meet again on Monday, January 22, at 3 p. m.

RETIREMENT OF GEORGE H. NASON.

Coun. CURLEY, for the Committee on County Accounts, submitted a report on message of Mayor, communications and order (referred December 29) concerning retirement of George H. Nason, an officer of the Municipal Court, Roxbury District of the City of Boston—recommending the passage of order in tbe following new draft:

Whereas, George H. Nason, an officer of the Municipal Court of the Roxbury District of the City of Boston, has applied for retirement from active service under the provisions of chapter 459 of the Acts of 1910; and

Whereas, It appears from the certificate of the Adjutant-General that said Nason is a veteran of the Civil War, and it further appears from the certificate of the justice of said Municipal Court that said Nason has been in the service of tbe county for at least ten years, that bis salary is now $1,200 per annum, and that he is incapacitated for active duty and has arrived at the age of seventy-six years, therefore be it

Ordered, That, under the provisions of chapter 459 of the Acts of 1910, George H. Nason, an officer of tbe Municipal Court of the Roxbury District of tbe City of Boston, be retired from active service at the salary of $600 per annum.

Report accepted; order passed.

RINGING OF BELLS, FEBRUARY 15.

Coun. CURLEY offered an order—That his Honor the Mayor be requested to cause the bells to be rung at 9 a. m., noon and sunset, and flags on all city staffs to be raised at balf-mast, on February 15, the fourteenth anniversary of the destruction of the battlesbip "Maine," in Havana Harbor, Cuba, the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

READJUSTMENT OF WATER RATES.

Coun. CURLEY offered an order—That the Commissioner of Public Works be requested to consider the advisability of a readjustment of water meter rates to consumers of a less quantity than 40,000 cubic feet.

Coun. CURLEY—Mr. President, I simply want to say a word in this connection,—that the present system of charges bears rather heavily on those who can least afford to meet these charges. The rates established by the city for water for each 100 cubic feet, not over 20,000 feet, is 14 cents per 100 cubic feet; over 20,000 and up to 40,000, 13 cents; over 40,000 and up to a million, 12 cents; over a million, 8 cents. In the aggregate the small householders use a quantity in the course of the year greater than is used by those few concerns in the city that have the 8 cent rate, and if the 8 cent rate is all right for the large consumers of water it is not all wrong for those who consume individually a less quantity of water. I am informed that the saving effected by the city last year was in excess of a million dollars on the water rates, and that saving was largely due to the excess price paid by the small property owners, the owners of single family dwelling houses or three-flat houses. I believe that a more equitable system of charges might be devised without injury to the large consumers, certainly with relief to the small consumers and with no great injury to the city itself. I trust that the order will pass.

The order was passed.

GENERAL RECONSIDERATION.

The Council refused, on motion of Coun. BALLANTYNE, a general reconsideration of all business transacted at this meeting.

Adjourned at 5.35 p. m., on motion of Coun. KENNY, to meet on January 22, at three o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Saturday, January 20, 1912.

Special meeting of the City Council, held in the Council Chamber, City Hall, at twelve o'clock noon, President COLLINS in the chair. Absent—Coun. Curley.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

The Clerk read the call for the meeting as follows:

City of Boston,
Office of the Mayor, January 18, 1912.

To the Members of the City Council:

You are hereby requested to assemble in the City Council Chamber, City Hall, on Saturday, January 20, at twelve o'clock noon, for the purpose of passing to their first readings the loan appropriations of $400,000 for Arlington Street Extension, and $175,000 additional for Chelsea Bridge North, and for the transaction of such other business as may properly come before the meeting.

I am informed by the City Auditor that these loan appropriations may be lawfully considered at the present time, and Saturday, January 20, is the last day upon which action may be taken under section 2 of chapter 486 of the Acts of 1909 by the present City Council.

Respectfully yours,
JOHN F. FITZGERALD, Mayor.

Placed on file.

APPOINTMENT BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, January 20, 1912.

To the City Council:

Subject to confirmation by your honorable body, I hereby appoint Charles H. Hartley (67 Cohasset street, Ward 23) Weigher of Coal for the term ending April 30, 1912.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Laid over under the law.

COST OF EXTENDING HOLTON STREET.

The following was received:

City of Boston,
Office of the Mayor, January 16, 1912.

To the City Council:

I transmit herewith a communication from the Board of Street Commissioners in compliance with a request contained in the order passed by the City Council at its meeting on December 29 that they should submit an estimate of the cost of extending Holton street, Ward 25, through the rope walk factory to the next connecting street.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Street Laying-Out Department,
January 16, 1912.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir,—Replying to the inclosed order of the honorable the City Council, requesting an estimate of the cost of extending Holton street, Brighton, "through the rope walk factory to the next connecting street," I am directed by the Board of Street Commissioners to state that this would mean an extension from Everett street to Antwerp street. The estimated cost is as follows:

Land and grade damages	$46,721 00
Construction	7,550 00
Total	$54,271 00

This estimate does not include the cost of sewerage works.

J. J. O'CALLAGHAN, Secretary.

Placed on file.

RELEASE OF RIGHTS IN LAND.

The following was received:

City of Boston,
Office of the Mayor, January 20, 1912.

To the City Council:

I transmit herewith a communication from the Commissioner of Public Works notifying the City Council that the sewerage rights and easements acquired by the City of Boston, by an order of the Board of Aldermen, passed July 28, 1851, in a parcel of land now owned by the New York, New Haven, & Hartford Railroad Company but formerly within the limits of that part of Church street lying between Providence street on the north and Columbus avenue on the south, and the sewer built therein and now in his charge, are no longer required for public purposes.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Works Department,
January 20, 1912.

To the Mayor:

Sir,—In accordance with the provisions of chapter 25, section 50, of the Revised Laws of Massachusetts, I inclose herewith notice to the City Council that the sewerage rights and easements acquired by the City of Boston, by an order of the Board of Aldermen, passed July 28, 1851, in a parcel of land now owned by the New York, New Haven & Hartford Railroad Company, but formerly within the limits of that part of Church street lying between Providence street on the north and Columbus avenue on the south, and the sewer built therein and now in my charge, are no longer required for public purposes.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

City of Boston,
Public Works Department,
January 20, 1912.

To the City Council:

The Commissioner of Public Works, now having charge of the sewerage rights and easements in a parcel of land now owned by the New York, New Haven & Hartford Railroad Company, but formerly within the limits of that part of Church street lying between Providence street on the north and Columbus avenue on the south, acquired by an order of the Board of Aldermen, passed July 28, 1851, hereby notifies your honorable body that, in his opinion, said sewerage rights and easements in so much of said parcel of land as lies between Columbus avenue and the new sewer recently constructed by said railroad company in a proposed widening of said Providence street, as hereinafter mentioned, and now in his charge, are no longer required for public purposes; and requests that you will authorize his Honor the Mayor, in the name and behalf of the City of Boston and in accordance with the provisions of chapter 25, section 50, of the Revised Laws of Massachusetts, to declare said sewerage rights and easements and the sewer built in said parcel of land, abandoned; said declaration of abandonment to be made for the consideration that the New York, New Haven & Hartford Railroad Company has built the sewer in Columbus avenue and in the proposed widening of Providence street as aforesaid and released to the said city all its rights in and to said last named sewer.

And said Commissioner of Public Works also requests your honorable body to further authorize his Honor the Mayor to execute, acknowledge and deliver in the name and behalf of the city an instrument or instruments satisfactory to the Law Department whereby the city shall release to said New York, New Haven & Hartford Railroad Company or to any other corporation or corporations, person or persons, claiming title to the parcel of land which was formerly embraced within the limits of that part of said Church street now discontinued, between said new sewer on the north and Columbus avenue on the south, all its right to lay or maintain a sewer in said parcel of land and any and all other rights and

interests in or to said parcel except the sewer easement taken in a proposed extension of St. James avenue by an order of the Board of Street Commissioners of said city by an instrument recorded with Suffolk Deeds, Lib. 3575, page 95, and granted to the city by said company by an instrument recorded with said Deeds, Lib. 3580, page 26, the sewer easement taken by said Board by an instrument recorded with said Deeds, Lib. 3575, page 96, and granted to the city by said company by an instrument recorded with said Deeds, Lib. 3580, page 30, and the right to lay water pipes in said parcel under a grant to the city by said company recorded with said Deeds, Lib. 3587, page 371.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

—

City of Boston,
In City Council, January, 1912.

Whereas, The City of Boston, by an order of the Board of Aldermen, passed July 28, 1851, acquired an easement for a sewer in a parcel of land now owned by the New York, New Haven & Hartford Railroad Company, but formerly within the limits of that part of Church street lying between Providence street on the north and Columbus avenue on the south; and

Whereas, The Commissioner of Public Works of said city, now having charge of said easement, has notified the City Council that, in his opinion, such easement in so much of said parcel as lies between Columbus avenue and the new sewer recently constructed by said railroad company in a proposed widening of said Providence street as hereinafter mentioned, is no longer required for public purposes; and

Whereas, Said New York, New Haven & Hartford Railroad Company has constructed, under the supervision of said city a sewer in Columbus avenue and in that part of the land of said railroad company shown as a proposed widening for Providence street on a plan by Aspinwall & Lincoln, Civil Engineers, dated February 17, 1910, approved by the Mayor and Board of Street Commissioners, and now on file in the office of said commissioners, and has connected said sewer with the sewerage system of said city, and has released to said city all its right, title and interest in and to said sewer; it is hereby

Ordered, That his Honor the Mayor, be and he is hereby authorized in the name and behalf of the city and in accordance with the provisions of chapter 25, section 50, of the Revised Laws of Massachusetts to declare the rights and easements acquired by the city in so much of said parcel of land, formerly within the limits of Church street, as lies between said recently constructed sewer on the north and Columbus avenue on the south, and the sewer built therein, to be abandoned; said declaration to be made for the consideration that said New York, New Haven & Hartford Railroad Company has built the sewer in Columbus avenue and in the proposed widening of Providence street as aforesaid and released to said city all its rights in and to said last named sewer.

And for said consideration his Honor the Mayor is hereby further authorized to execute, acknowledge and deliver in the name and behalf of the city an instrument or instruments satisfactory to the Law Department whereby the city shall release to said New York, New Haven & Hartford Railroad Company, or to any other corporation or corporations, person or persons, claiming title to the parcel of land which was formerly embraced within the limits of that part of said Church street now discontinued, between said new sewer on the north and Columbus avenue on the south, all its right to lay or maintain a sewer in said parcel of land, and any and all other rights and interests in or to said parcel except the sewer easement taken in a proposed extension of St. James avenue by an order of the Board of Street Commissioners of said city by an instrument recorded with Suffolk Deeds, Lib. 3575, page 95, and granted to the city by said company by an instrument recorded with said Deeds, Lib. 3580, page 26, the sewer easement taken by said Board by an instrument recorded with said Deeds, Lib. 3575, page 96, and granted to the city by said company by an instrument recorded with said Deeds, Lib. 3580, page 30, and the right to lay water pipes in said parcel under a grant to the city by said company recorded with said Deeds, Lib. 3587, page 371.

Referred to the Committee on Public Lands.

APPROPRIATION FOR CHELSEA BRIDGE NORTH.

The following was received:

City of Boston,
Office of the Mayor, January 20, 1912.

To the City Council:

The accompanying letter from the Commissioner of Public Works offers a suggestion by which a considerable sum of money now lying idle may be used for the work on the Chelsea North Bridge. I recommend the passage of the accompanying orders, the first of which transfers the appropriation for the Chelsea South Temporary Bridge to an appropriation for Chelsea Bridge North, and the second transfers the present appropriation for Chelsea North Temporary Bridge to an appropriation for Chelsea Bridge North, and adds $95,000 to this appropriation.

It is understood that if the first order fails of passage the second is withdrawn, and that if either or both are passed my earlier recommendation of a loan order for $175,000 for Chelsea Bridge North is withdrawn.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Works Department,
January 20, 1912.

To the Honorable the Mayor:

According to the auditor's exhibit of the current month, the sum of $79,498.34 is available for Chelsea South Temporary Bridge. It is not proposed to construct a temporary bridge at Chelsea South Bridge until the work at Chelsea North Bridge is completed. I would suggest, therefore, that if you approve, this sum of $79,498.34 be transferred from the appropriation for Chelsea South Temporary Bridge to the appropriation for Chelsea Bridge North. If this transfer is made, and the sum of $257,366.66 is transferred from the appropriation for Chelsea North Temporary Bridge to the appropriation for Chelsea Bridge North, as requested in letter of this department, dated December 18, 1911, to complete the construction of Chelsea North Bridge will then require the additional sum of $95,000, this being the difference between the sum of $175,000, requested December 18, 1911, and the amount of the transfer above recommended.

Respectfully,
L. K. ROURKE;
Commissioner of Public Works.

—

Ordered, That the balance of the appropriation for Chelsea North Temporary Bridge be transferred to an appropriation for Chelsea Bridge North, to be expended by the Commissioner of Public Works; that the sum of $95,000 be and hereby is appropriated and added to the aforesaid appropriation for Chelsea Bridge North, and that to meet this additional appropriation the City Treasurer be and hereby is authorized, on the request of the Mayor, to issue bonds or certificates of indebtedness of the city to said amount.

Ordered, That the City Auditor be and hereby is authorized, with the approval of the Mayor, to transfer the appropriation for Chelsea South Temporary Bridge to an appropriation to Chelsea Bridge North.

President COLLINS—What is the pleasure of the Council in regard to the matter?

Coun. KENNY—Mr. President, I am going to move that that transfer order be now placed on its passage, and that the order looking for a loan of $95,000 be also given its first reading this afternoon. I should like to say in connection with these matters that yesterday I had a conference with the Commissioner of Public Works. I brought to his attention the fact that a year ago last spring the Council passed a loan order for $80,000 for a temporary bridge, what is called Chelsea South Bridge; that that loan had been negotiated, the money borrowed, and a very small fractional part of it, just a few dollars used, but that the money was now available and that the city was actually paying interest on that sum, $80,000. At the time of the passage of that loan order it was the plan of the Public Works Department to go forward with the construction of a temporary bridge for Chelsea South and also a temporary bridge for Chelsea North—Chelsea South being the first bridge after passing the navy yard, on the way to Chelsea, and Chelsea North

being the long hridge beyond, running to Chelsea. At that time it was contemplated that a temporary bridge also be constructed to parallel the present roadway from the navy yard, or a point beyond the navy yard on the east, into Chelsea, at a cost of $250,000, and for the erection of a bridge at the channel through which steamers and shipping might pass, leaving the old roadway in an unused condition, which might possibly last for twenty years. I think this is one of the occasions we might refer to as showing the wisdom of the Council in refusing to adopt hasty action, for at that time, the time when we passed the $80,000 loan order for Chelsea South Bridge, and an additional loan order for a quarter of a million dollars was submitted for the Chelsea North Bridge, the latter order was rejected, the Council feeling that it did not sufficiently appear just what amount the City of Boston might he called upon to pay. Later on it was rejected a second time, if I remember rightly, with a recommendation that the Mayor go to the Legislature and ask for an act compelling the city of Chelsea and the railways that cross the hridge to make contrihution. That was also in connection with the Meridian Street Bridge, which occupied the same relative position, those hridges heing ahout to he constructed for the purpose of affording the railway companies an opportunity to send their heavy 42-ton cars across the bridges. After all this time the Commissioner of Puhlic Works, having made a very thorough study of the situation, having gone west, as I understand, on a tour of inspection, has reached the conclusion —and I think it is a very wise conclusion—that it will not he necessary to construct a temporary bridge in the manner in which it was first contemplated; that, instead of huilding this long parallel hridge from Charlestown to Chelsea, they will add $175,000 to the loan order,—which we have since passed, hy the way,—making $425,000, and for that money construct a permanent drawhridge under the direction and under the mandate of the government, at the location of the present drawbridge, placing there a suhstantial foundation, so that hereafter, in years to come, if it becomes necessary to rehuild the approaches to that drawhridge from either side it may he done and still retain the new drawhridge, which they are going to place on that site; that, pending the reconstruction of the present drawhridge and the installation of the new drawbridge at a cost of $425,000, there will bc a foothridge probably constructed, which will not he a very expensive proposition. You will remember that in the case of Dover street last year we appropriated $3,000 for a foothridge during the reconstruction of the Dover Street Bridge, hut the intention here is to place a foothridge alongside the new draw, which is to bc constructed, which will answer the purpose of pedestrians, and leaving it to the railway company, by sending its cars as far as the drawhridge, to operate its cars as at present over the main thoroughfare. So when the new drawbridge is completed, at a cost of $425,000, retaining the present roadway and not building this long temporary thoroughfare, instead of spending $2,000,000 as was at that time contemplated, we are going to spend $425,000, and we are going to subtract from that sum contributions from the railway, and we hope, from the city of Chelsea. The liahility of the city of Chelsea will he determined hy a commission appointed by the Supreme Court, application having heen made for the appointment of such a commission. In fact, I helieve it has heen appointed. I thought I would make this explanation and have it placed on the record, so that it may he understood hy everybody that the action of the Council in delaying this temporary construction a year ago last summer has probably resulted in the saving of a very large sum of money to the city. I would also like to add that the Commissioner of Puhlic Works informed me that there would be no immediate occasion for using the $80,000 for the construction of Chelsea Bridge South, that the work would not be taken up until after the Chelsea Bridge North had heen completed. Therefore, as that would prohahly he next fall, or at the farthest, prohahly a year from now, it was thought better to use the $80,000 and save the interest that the city would he paying on Chelsea Bridge North.

The rule was suspended, and the orders were given their first reading and passage, yeas 8, nays 0.

President COLLINS—The second reading and passage will be had not less than two weeks from to-day.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

A. C. Le Baron, for compensation for injuries to his horse caused by an open water gate on Stanhope street.

Matthew Dinsfriend, for compensation for damage to wagon on East Boston Ferry.

John E. Murray, for compensation for damages by stoppage of a sewer at 17 Albany street.

George Bolle, for compensation for damages caused hy the flooding of his land hy the digging of a trench hy city employees in West Selden street.

Dexter Brothers Company, for compensation for damages at 103-5 Broad street by the hursting of a water main on Wendell street.

Bridget Sheehan, for compensation for damages caused by the breaking of water pipe at 75 Moore street, East Boston.

Mrs. Catherine Judge, for compensation for damages hy the bursting of a water main on Chapman street, Ward 5.

Parkman Fund.

United Improvement Association, to he allowed rooms for headquarters in Parkman House.

Puhlic Lands.

First Parish in Dorchester, for confirmation of title to real estate held hy it.

VOTE ON LICENSE.

The following was received:

Board of Election Commissioners,
Boston, January 15, 1912.

John T. Priest, Esq., City Clerk:

Sir,—We herehy certify that the vote cast at the municipal election held on the 9th instant in the City of Boston upon the question: "Shall licenses he granted for the Sale of Intoxicating Liquors in this City?" was as follows:

Yes, 30,805.
No, 16,536.

JOHN M. MINTON,
MELANCTHON W. BURLEN,
ALPHEUS SANFORD,
EDWARD A. McLAUGHLIN,
Board of Election Commissioners.

Placed on file.

COUNCIL MEMBERS.

The following was received:

Board of Election Commissioners,
Boston, January 15, 1912.

John T. Priest, Esq., City Clerk:

Sir,—We hereby certify that as appears hy the records of the votes passed in this city at the municipal election held on the 9th instant the following-named persons were duly elected to the office of City Council for the term of three years.

Walter Ballantyne, 224 Dudley street.
John A. Coulthurst, 480 Hyde Park avenue.
Thomas J. Kenny, 296 West Fifth street.

JOHN M. MINTON,
MELANCTHON W. BURLEN.
ALPHEUS SANFORD,
ENWARD A. McLAUGHLIN,
Board of Election Commissioners.

Placed on file.

APPOINTMENT BY THE MAYOR.

Notice was received of appointment hy the Mayor of Caroline S. Atherton as trustee for children, a certified copy of the same having been delivered to the Civil Service Commission January 15, 1912.

Placed on file.

NOTICE OF HEARING.

Notice was received from the Port Directors of hearing January 18, at nine o'clock, on application of Boston, Revere Beach & Lynn Railroad Company for license to huild a pile pier in Boston Harhor, at its terminal in East Boston.

Placed on file.

ARLINGTON STREET EXTENSION.

The following was received:

Real Estate Exchange and Auction Board,
Appleton Building, 4 Liberty Square,
Boston, January 17, 1912.

To the City Council:

The undersigned, members of the Boston Real Estate Exchange, respectfully represent that the most important land improvement within the city limits is the building up of the Park square lands and that the extension of Arlington street from Boylston street to Columbus avenue is indispensable for the proper development and best uses of these lands, and accordingly we urge action by the City Council permitting said extension of Arlington street without further delay for the common benefit.

Signed by Amory Eliot and very many others.

Placed on file.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses for sixty-eight newsboys, six bootblacks and one vendor—recommending that licenses be granted.

Reports severally accepted; licenses granted on usual conditions.

CONFIRMATION OF APPOINTMENTS.

President COLLINS called up unfinished business, Nos. 1, 2 and 3, viz.:

1. Action on appointments submitted by the Mayor, January 11, 1912, of Cornelius A. Coughlin and Frank R. Farrell, to be Constables of the City of Boston, for the term ending April 30, 1912.

2. Action on appointments submitted by the Mayor, January 11, 1912, of Edward S. Pitman and Charles T. Reardon, Jr., to be Weighers of Coal, for the term ending April 30, 1912.

3. Action on appointments submitted by the Mayor, January 11, 1912, of Zuleta Gibbs, Fred G. Harms, Jeremiah L. McCarthy and Thomas H. O'Brien, to be Weighers of Coal, Measurers of Wood and Bark, Measurers of Grain, Weighers of Boilers and Heavy Machinery, and Weighers of Beef, for the term ending April 30, 1912.

The question came on confirmation. Committee—Coun. Buckley and Hale. Whole number of ballots cast 8, yeas 8, and the several appointments were confirmed.

PLAYGROUND ACCOMMODATIONS, MATTAPAN.

President COLLINS called up unfinished business, No. 4, viz.:

4. Ordered, That, under the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of twenty-five thousand dollars ($25,000) from the Reserve Fund to an appropriation to be expended under the direction of the Park Commissioners for Playground Accommodations, Mattapan district.

On December 29, 1911, the foregoing order was read once and passed, yeas 7, nays 2.

President COLLINS—The Chair wishes to say that word has come to the Chair indirectly, that his Honor the Mayor would like to have this order postponed until next year. The Chair is opposed to that action, for the reason, in the first place, that it may be of doubtful legality, on the ground that the end of this year marks the end of the city's business. But there is a second reason which is a more important reason to the Chair. The request is founded on the fact that some of the departments may exceed their appropriations. Accordingly, I call the attention of the members of the Council to section 3 of the charter, which says that the City Auditor, with the advice and approval of the Mayor, may at any time between December 1 and February 1, make transfers from any appropriation to any other appropriation. Any argument for delay, for those reasons, and particularly for the second reason, therefore falls to the ground. Therefore, the Chair wishes the order to pass.

The order was passed, yeas 7, nays 1, Coun. SMITH voting nay.

Later Coun. HALE said: Mr. President, I rise to a question of personal privilege. By reason of a slight wandering of my mind a minute or two ago I voted "Yes," on No. 4 on the calendar. I wish to change my vote and to vote "No."

President COLLINS—There being no objection the final vote stands six in favor and two against, Coun. HALE and SMITH voting no; and the order has taken its second and final reading and passage.

PASSAGEWAY, BLANDFORD AND BEACON STREETS.

5. Ordered, That under the provisions of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer the sum of twenty-five hundred dollars ($2,500) from the Reserve Fund to be expended under the direction of the Board of Street Commissioners for Blandford and Beacon Streets, Passageway.

On December 29, 1911, the foregoing order was read once and passed, yeas 9.

The order was given its second and final reading and passage, yeas 8, nays 0.

FINANCE COMMITTEE REPORTS.

Coun. KENNY, for the Committee on Finance, submitted the following:

(1) Report on order (referred November 27) for loan of $100,000 for municipal building, Ward 17—recommending reference of same to the Executive Committee.

Report accepted; said reference ordered.

(2) Report on message of Mayor, communication and order (referred December 18) for transfer of $175,000 for appropriation for Chelsea Bridge North—that the same ought not to pass.

Coun. KENNY—Mr. President, that action necessarily follows in view of the action taken by that body on the Chelsea Bridge North and South transfers.

Report accepted; said order rejected.

(3) Report on message of Mayor and order (referred November 27) for loan of $50,000 for Children's Hospital, Consumptives' Hospital Department,—that the order ought not to pass, without prejudice.

Coun. KENNY—Mr. President, supplementary to that report I hold in my hand a resolution, which the Committee on Finance authorizes me to submit to the Council. It favors the establishment of a Children's Hospital in charge of the Consumptives' Hospital Trustees, and upon receipt of plans and specifications of the proposed hospital and definite estimated cost, it will pass upon the same without delay, providing the cost does not exceed $50,000. I will offer this resolution after a vote is taken on the report.

The report was accepted, and the order was rejected, without prejudice.

Coun. KENNY offered the following:

Resolved, That the City Council favors the establishment of a Children's Hospital in charge of the Consumptives' Hospital Trustees, and upon receipt of plans and specifications of proposed hospital, and definite estimated cost it will pass upon the same without delay, providing the cost does not exceed $50,000.

Coun. HALE—Mr. President, there was an understanding in regard to the amount, and I think that should appear in the resolution. I am surprised that it is not there. The understanding in committee certainly was that the Council put itself on record and pledged itself to appropriate an amount of money for a children's hospital building provided the plans were satisfactory and providing that the cost did not exceed $50,000. I think those words "appropriate the money," should be inserted, and that will bring the resolution into accord with the understanding in the committee.

Coun. KENNY—Mr. President, I see no objection to that amendment, but I would like to have the Clerk read the resolution as amended.

The amendment was adopted, and the Clerk read the resolution as amended, as follows:

Resolved, That the City Council favors the establishment of a Children's Hospital in charge of the Consumptives' Hospital Trustees, and upon receipt of plans and specifications of proposed hospital, and definite estimated cost, it will appropriate the necessary amount of money without delay, providing the cost does not exceed $50,000.

The resolution as amended was passed.

(4) Report on message of Mayor, communication and order (referred November 27) for loan of $15,000 for gymnasium, ward building, Ward 8,—that the order ought not to pass, without prejudice.

Coun. SMITH—Mr. President, this matter of finishing the wardroom over into a bath house is one that I have been very anxious to see go through, and I am sincerely sorry for the delay in the matter. The money for the changing was thought to be ample at the time it was granted. That was some time, I believe, over a year ago, and nothing definite has been done yet. The people of the West End need that bath house. There is nothing for them there in the winter time. The North End has a very large bath house, and such a place is equally desirable in both sections. The fault lies, however, with the form of the order, it being a loan order instead of an appropriation order—and I think the majority of the Council agree that in this case it should be an appropriation order. I sincerely hope the Mayor will see his way clear to sending us an appropriation order on this subject, as I for one want to see it go through.

The report was accepted and the order was rejected, without prejudice.

(5) Report on message of Mayor and order (referred January 11) for loan of $30,000 for purchase of wharf property on Condor street, East Boston, owned by the George E. Young heirs—that the order ought not to pass, without prejudice.

Coun. KENNY—Mr. President, the committee desires to have it understood that it does not at the present time take any adverse position on this order, but a number of members of the Board would like the opportunity of making further investigation. In order that that may be done we make this report now, to clear up our docket. But we hope in the very early part of the session of the next City Council to give this matter further consideration.

The report was accepted and the order rejected, without prejudice.

EXTENSION OF ARLINGTON STREET.

Coun. KENNY, for the Committee on Finance, submitted the following:

Report on message of Mayor, communication and order (referred December 29) for loan of $400,000 for extension of Arlington street—that the order ought not to pass, without prejudice.

The question came on accepting the report and rejecting the order.

Coun. KENNY—Mr. President, the Committee on Finance has really had the subject of the development of Park square before it in one form and another for a long time. A short time ago it considered the matter in the form in which it was then before us, calling for a much larger loan, and the committee at that time made a report to the Council rejecting the order, rejecting it so far as it affected the widening of Ferdinand street, and rejecting it without prejudice so far as it affected the extension of Arlington street. At that time, Mr. President, in submitting the report of the committee, I did so in the following language:

"The Committee on Finance, to which was referred—October 30—message of Mayor and order for extension of Arlington street and widening of Ferdinand street, having considered the subject, respectfully reports that the order ought not to pass, without prejudice to the Arlington street extension, and further reports, recommending the passage of the following:

"Ordered:

"(1) That the Street Commissioners, through his Honor the Mayor, be requested to report to the City Council the estimated cost of extending Arlington street from Boylston street to Columbus avenue at a width of seventy feet, under the provisions of the 39th amendment of the State Constitution, which amendment amends part 1, Article 10, of said State Constitution.

"(2) That the Street Commissioners and his Honor the Mayor be requested to report to the City Council the estimated cost of extending Arlington street to Columbus avenue, at a width of seventy feet, under other provisions of law.

"(3) That the Street Commissioners and his Honor the Mayor be requested to confer with the New York, New Haven & Hartford Railroad officials relative to any offset and contribution by said railroad company with respect to the carrying out of the project herein contemplated, under provisions 1 and 2 above, and report to the City Council in a further message accordingly."

That report, Mr. President, was further amended by one of the members, as follows:

"That the Street Commissioners be requested, through his Honor the Mayor, to ascertain and report to the Council the cost of widening Ferdinand street, from Columbus avenue to Castle square, under the 39th amendment to the State Constitution.

"First.—Eighteen feet.

"Second.—Thirty feet."

That report was made to this body on the 18th of December, and I assume that it came to the attention of his Honor the Mayor in due course; and still up to this time the requests numbered 1 and 2, and the supplemental request or amendment affecting Ferdinand street have been, so far as I have knowledge, disregarded. There has been nothing from the Mayor's office which shows that any attention whatever has been paid to the recommendation of the Council in the matter of ascertaining the cost of this proposed extension under the 39th amendment of the State Constitution, nor has there been any attention given, so far as I am informed, to the request of this Council affecting request No. 2—that we have a report on the cost of widening Arlington street under other provisions of law. This is a very important matter. It is, of course, a matter that affects everybody in the City of Boston, for it calls for the contribution by the city of something rising $325,000. That is to say, the City of Boston, under the most favorable financing of this project, so far as I can see, will be called upon to put up about $325,000. In that connection, Mr. President, I should like to say it seems to me there has been an absence of figures and an absence of a detailed statement as to this project itself, that the Council has not really been given, has not been afforded, the light and the opportunities which it might fairly expect in being called upon to pass upon so important a project. In a general way it has, but specifically, as affecting the estates on Boylston street and as to what contribution might be had as to the property in the rear on Providence street, I don't think there has yet been any detailed information given which will help the Council in reaching a conclusion. But, be that as it may, we do know in a general way that the city is being called upon to contribute about $325,000 toward the accomplishment of the extension of Arlington street. It seems to me that, after all, this is a local improvement. It is not a large comprehensive improvement that affects the entire city; it is not the extension of an avenue cutting from one part, one section of the city, into another section. It is not like Pleasant street, for instance; but it is, it seems to me, the development of local property. The fact that it is owned by a great railroad corporation has nothing to do with the case. That should not in the slightest way serve to prejudice the rights of the railroad. Nevertheless it is the development of a piece of land which belongs to the railroad and which, it seems to me, under all the circumstances, the railroad should take a larger responsibility in developing, so far as the extension of Arlington street is concerned. I agree that Arlington street should be extended, and I would agree, so far as my vote is necessary, to vote to contribute a fair amount of money toward the extension of Arlington street into Columbus avenue. But after very serious reflection and consideration, I do not think that the city at this time should be called upon to contribute so large a sum of money to the development of a piece of property belonging to a single corporation. On the 27th of March last a hearing was given before the Executive Committee of this Council at which Mr. Laurence Minot, Mr. Frank O. Whitney, Commissioners Gallivan and Dunn and Mr. John C. Kiley appeared. I think perhaps it would be illuminating for us to refer to what was said at that time by Commissioner Gallivan, who certainly occupies a superior position—I was going to say a luminous position—in the matter of the development of land in Boston. He has served as a member of the Street Commissioners for many years, and, so far as I have ever learned, he has rarely gone very far astray in his recommendations to his Board in matters of street development of this kind. Mr. Gallivan said, speaking on this extension of Arlington street, —and I quote literally from his statement:

"Well, if this land is going to have the splendid development which we have been told it is going to have, it would not be a bad thing for the public at large to have proper approaches to it. We

understood that it was to have magnificent hotels, theaters and department stores, and the puhlic, of course, would have to have proper and reasonable approaches to those. I don't know whether any large sales have been made of their land, or whether plans have been madc for these department stores and for these other projected huildings; hut Berkeley street to-day, in my judgmcnt, is a good enough cross-town thoroughfare. You gentlemen are probably quite familiar with the fact that the city has already gone to some expense on Berkeley street for the henefit of these lands, and in that instance the Park Square Trust met us half way, although ahout twelve years ago the city lowered the grade of Boylston street and spent a considerahle sum there. Last year we passed an order, changing the grade and lowering it again; but the trust was willing, in order to have that done, to assume half the cost. But I think it is going to cost $15,000, about that, isn't it, Mr. Whitney?

"Mr. WHITNEY. Yes.

"Coun. BUCKLEY. Suppose, Mr. Commissioner, that the trust would he willing to bear half the expense of the extension of Arlington street, would that he of advantage to the city?

"Mr. GALLIVAN. You mean all the way through?

"Coun. BUCKLEY. Yes.

"Mr. GALLIVAN. Yes.

"Coun. BUCKLEY. Decidedly?

"Mr. GALLIVAN. Yes, I think so; but if they are only willing to assume half the expense of the extension as proposed here, to Providence street,"— that is, punching a hole into Boylston street,— "I still insist that I can see no puhlic advantage."

In another part of this report, referring to this subject, Mr. Gallivan said:

"We have had no requests from anybody to extend Arlington street. We had a puhlic hearing at one time in the Board of Aldermen's chamher, which was very largely attended, but there weren't very many speakers there, and there was not much information that came out at that hearing. Mr. Minot rcad a statement from the trust. The opinion developed from that hearing was that it would be a splendid thing to extend Arlington street clear over to Castle square, hut there was not a man who spoke, as I recall it, who wanted it stopped at Providence street. The idea then conveyed to the Board was that if the whole thing could be carried through it would be a great benefit to the city and to that section. We had quite a few property owners from that neighhorhood and some down at the other end, the Castle square end of the district, who thought it would he a good thing if we could carry the street clear over there. You have heard what this thing will entail on the city — not only the extension through these buildings and across Ferdinand street, hut the necessary raising of the grade of Providence street. Whether or not the Council is ready to horrow that amount of money, which will be over a million dollars, is, of course, a matter that is in their own hands. Personally, if you ask me my opinion, I don't believe that the extension from Boylston street to Providence street is worth a snap without the continuation through to Castle square. I think if the land which the Park Square Trust now owns on Boylston street, in the way of the proposed extension of Arlington street, with the huildings thereon, were given to the city for this extension, the city could well afford to bear the additional expense of laying this improvement clean across to Castle square. When I read in the papers that the Park Square Trust had bought those huildings, I supposed that that was their intention, in order that the lands which they owned, these Park square lands, might have a proper outlet to Boylston street. I supposed when they hought these huildings on Boylston street that they were going to come in and make a gift of them to the city, provided we would huild the extension of the street and absolve them from any ensuing assessments. But we have heard no proposition of the kind from them. But when I learned that they were the owners, that is what I expected would be done, and I also expected them to follow that up with a request that the city widen and extend Arlington street clear up to Castle square, which ought to he done, if these gentlemen would make that gift to the city; and, in my opinion,— and I am now speaking as an individual member of the Board, this not heing the Board's opinion,— I think the city might well make the extension, and I think that the Park Square Trust could well afford to make that gift. I think the lands that they own there would materially increase in value, if they would give those huildings on Boylston street which they own."

Now, Mr. President, you see what was in the mind of thc Street Commissioner at that time. You will see that he recognized that this was a large local land development on the part of the owners of the property, and that, so far as the extension of Arlington street from Boylston street was concerned, it was largely a matter which they themselves should take care of. I agree in that opinion. I agree, as I have already stated, that the city should do something towards the consummation of this project. Indeed, the city has already done something. We are committed, in a way, to the extension of Arlington street, for last fall we negotiatcd a loan and appropriated $25,000 for Providence street; and I am willing to go so far as to say that, under a more liheral proposition from the railroad company, I would be willing to vote here some money on hehalf of the city to hring about what is here desired.

Coun. SMITH—Mr. President, will the gentlcman yield to a question?

Coun. KENNY—Mr. President, I would rather not. I think we ought not to encourage these interruptions. I have some things to say here, and when I am through the memher will have every opportunity to answer. I think wc can expedite busincss much hetter if we avoid interruptions. Of course, if it was a point of order, I would yield, as I would he ohliged to, hut as for questions, I think they may he very well deferred. I am not prepared to say this afternoon how far I would go. I don't think I am called upon to say how far I should go. I don't think I should to that extent commit the City of Boston, as a mémber of this hody. But I am willing to make, so far as my vote goes, some contrihution towards the fulfillment of the wishes of all parties interested. We must rememher that every section of Boston has a right to he considered, that we have only a limited amount of money and that it is our duty, as trustees of the city, to spcnd that money judiciously and wisely in the interests of all, and not for the henefit of any one section, entirely to the exclusion of others, nor for the henefit of a great railroad corporation, which has at its command millions of dollars and which already has an investment at Park square which must in the course of time hring in large returns. Park square and that section of Boston are bound to progress. Land valuations have heen increasing in Park square and throughout that section, as I understand, for a great many years. I think, as I havc already stated, that thc railroad company should be given exactly the same credit and shown the same respect and consideration as any body of individuals. My vote to-day is not predicated for one instant on the fact that I am dealing with a large corporation. But I feel, in justice to the City of Boston, whose interests we are here to protect, that we ought not to be called upon to pass this loan order and in that manner bind the city to so large a payment for the development of private property. Before clcsing, I want to call the attention of the Council to an article which appeared in the newspapcrs of Boston of to-day, which was supposed to have emanated from his Honor the Mayor, in which he undertook to cast certain strictures upon this hody. I am reading from the Boston *Journal* of January 20, 1912:

"Last night the Mayor threatened that if the City Council did not pass the ordcr he would ask the Lcgislature not to spend a single dollar for Boston Harhor."

I do not charge the Mayor with that language; hut the following language appears to he quoted, and unless he dcnies it I think we have a right to assume that he gave utterance to what I am now going to read:

"'If the people of Boston,' he said, 'have not got hrains enough to see the need, the importance of this improvement, then I shall feel justified in going to thc Legislature and asking them not to spend a single dollar on Boston Harhor. How such a hody of men as the City Council can disregard the pressing need of this I cannot understand. This spot, Park square and the vicinity, has been a disgrace to Boston for the last fifteen years. The memhcrs of the City Council are not justified in opposing this improvement simply because Laurence Minot is the representative of the property holdcrs. The idea of the Ncw Haven making another concession is impossible. The Chamber

of Commerce, after an exhaustive examination, was unable to obtain as low a figure as the city has now.'"

I suppose, Mr. President, that the first thought that the average citizen had after reading that language was that it must be that all the brains of this city are stored up in the head of the Mayor of Boston.

Coun. SMITH—Mr. President, I object to the gentleman's language, founded simply on a newspaper article, referring to his Honor the Mayor of this city.

President COLLINS—I suppose the gentleman is offering it for what it is worth—not as a statement of the Mayor, but as a statement purporting to come from the Mayor.

Coun. KENNY—Mr. President, I took occasion when I started to read this to say that it was taken from the Boston *Journal* and that it was quoted, and if the Mayor desires at any time hereafter to repudiate it I will retract what I have said. If he did not give utterance to what I have read, I am willing and shall be quite prepared and anxious to withdraw the remarks I have just made. Why, Mr. President, just see the picture the Mayor portrays here. Listen:

"The members of the City Council are not justified in opposing this improvement simply because Laurence Minot is the representative of the property holders."

Now, we have the boot on the other leg. For months—yes, for years—it has been well known, it is common knowledge, that the Mayor and Mr. Minot have not been very much in alignment. The Mayor has not at times hesitated to criticise Mr. Minot very severely. Now I say this, in all fairness, and I say it seriously,—if our position today had been the reverse of what it is, if we were in this Board advocating the passage of this loan order and the Mayor saw fit to be against it, to oppose it, what would the Mayor say? He would say that we were in here doing the bidding of Laurence Minot. That is what he would say, if such were the conditions, and we all know it.

Coun. SMITH—Mr. President, I submit that this is an economic discussion and not a campaign speech.

Coun. KENNY—Mr. President, I am not making a campaign speech. I have no occasion, Mr. President, to make a campaign speech.

President COLLINS—The question is on the acceptance of the report and the passage of the order. Anything that may be said on that subject is relevant.

Coun. KENNY—Mr. President, I have just finished my campaign, have made my campaign speeches, and before I will again have an opportunity to enter a campaign my friend on the left will have a chance to make campaign speeches. Mr. President, I submit that that statement I have read is not a fair statement to give to the public or to the Press of Boston. We are here charged with the same responsibilities as the Mayor of Boston. As I said in the campaign—if I may refer to it here—he holds one key to the treasury, we hold the other, and the lock will not yield unless both keys are inserted; and he cannot take upon himself the responsibility of charging us with failure to fulfill our duty, because we do not see fit to come in here and vote away the money belonging to the City of Boston. Mr. President, I have concluded. There is nothing further that I think of, that I wish to say at this time, unless something further is brought out by continued discussion of the matter. With this statement I submit the report of the committee.

President COLLINS—The question is on the acceptance of the committee's report and the rejection of the order.

Coun. HALE—Mr. President, I would like to have the question divided.

President COLLINS—At the request of the councilor the question will be divided.

The report was accepted, and the question then came on the passage of the order.

The order was rejected, upon a roll call, yeas 2, nays 6:

Yeas—Coun. Hale, Smith—2

Nays—Coun. Attridge, Ballantyne, Buckley, Collins, Kenny, McDonald—6.

Coun. HALE—Mr. President, I move a reconsideration of the vote just passed. I was somewhat surprised at the result of the vote and at the reasons given. Throughout I have not heard a word about the real question involved. There has been a great deal of talk about great corporations controlling large amounts of money, and there has been a great deal of talk about newspaper articles, campaigns and keys. But I have not heard any talk about the real question—that is, whether the expenditure of this $400,000 is going to result in a benefit to the city which makes it worth while for the city to spend that amount of money? I don't think we want to get away from that by entering into personalities or anything of the sort. The advantages which might come to the city from this expenditure of money can, I think, be classed under two heads. First, does cutting through this street open up another large thoroughfare for traffic? On that point I am perfectly free to confess that I do not go as far as most of the thoughtful men who have looked into this matter. People who have really given it study say that it is going to be a tremendous advantage in that way, that the citizens are going to use this street tremendously and that it is going to connect the West and South Ends and be of great advantage to the city as a traffic thoroughfare. I personally cannot see very great force in that, because I think that there are already two perfectly good thoroughfares, one in Berkeley street and one down Columbus avenue and through Charles street to the West End. Therefore, I do not lay very much stress on that argument, although I want to point out the fact that that has been an argument used by the Chamber of Commerce, by the special Metropolitan Improvement Commission appointed six years ago or so, and by the Metropolitan Plan Commission, I think. The other point involved—and you can call it local in one sense—is the question, what is going to be the direct result of the opening up of this street? Anybody who studies the situation, anybody who is familiar with the conditions in the business part of Boston, anybody who is acquainted with the real estate of Boston, knows how that property around Park square has held down the development not simply around this little square owned by this corporation controlling large sums of money, but the whole neighborhood, in the South End district, up and down through the district that my friend on the left (Coun. Attridge) comes from. He is much more familiar with that matter than I am. That whole district has been held down by the failure to improve this property which has been left there a drug on the market for years and years, and it has simply prevented that part of the city, the whole South End, from developing in the way it should. I don't know, Mr. President, whether you remember a couple of years ago a lady—I think she was president of the South End Improvement Association, or some such association—who came in here—I think the councilor on my left remembers her——

Coun. ATTRIDGE—Angelina R. Post.

Coun. HALE—That is the name—telling us pathetically how the people all around there were getting squeezed out of their equities by the gradual depreciation of property, how they were losing money. She told how they had tried to get back the money by putting up the rents and were unable to do so, and that the way things had been going on had left living conditions in the South End worse, more unhealthy for men, women and children. I don't know whether you were at the hearing, but she made a very eloquent appeal, an appeal that touched us all. I cannot measure the value that this improvement is going to make in dollars and cents. There is no way of accurately measuring it. There is also the question of the effect on human welfare and enjoyment of life, that we cannot measure. It is something that means the improvement of the whole economic condition of that part of the city. But I can measure almost exactly the actual cash benefit that it is going to be to the city on this particular triangle of land owned by this great corporation, to which we must be fair. Let us see, in the first place, what the cost of this improvement, for which $500,000 is asked, is really going to be to the city. I have estimated—and I think it is accurate—the loss of taxes on these three houses on Boylston street which we take, taking the figures on the tax list, at about $6,500. These figures are only rough, gentlemen. They may be wrong to the extent of a dollar or two or $100 or $200, but they are substantially accurate. The amount is about $6,500. Then, on the basis of this improvement costing us about $350,000—in other words, figuring a dead loss of $25,000 compared with what we ought to get, which is certainly a very fair way to estimate, and figuring 20-year serial loans—we got approximately an annual payment of $22,500. That represents the repayment of capital and the payment of interest.

In other words, if the city expends about $30,000 a year in the next twenty years, she will have paid for this improvement. Let us figure out how much she is going to get back. As I say, leaving out all these human advantages which we can all see, which we can all know, which the councilor on my left who comes from that district must know—leaving those out, dealing simply with the financial side, how much is the city going to get out of this? I have taken the number of square feet of property in that corner, owned by this vast colossus, this octopus stretching over the community, of which we all seem to be a little afraid, and I have divided that into this $30,000, which I figure is the cost; and I figure that if the assessed value of that property goes up in the neighborhood of $4.90 a foot the whole thing will be paid for. Then the question comes, will the cutting through of this street increase the assessed value of that property by more or by less than $4.90? On that specific question we have the undivided, unanimous opinion of all the men who have studied real estate most carefully in this city. We have the testimony of the Chamber of Commerce, we have the testimony of the Real Estate Exchange—which surely must know something about the matter. They all testify that the amount of value per square foot that this property will rise is far greater than $4.90. I know from the small experience I have had in real estate in different parts of the city how the development will increase the value. In the first place, of course there will be a tremendous increase in the value per square foot of the land, on account of the neighborhood being better; and, in the next place, those old buildings will be torn down and new buildings, as Mr. Gallivan says, will be built, expensive buildings. All that will help in the improvement of the property. In other words, gentlemen, the city will actually make a net profit on this business by spending $400,000. She will receive in increased taxes more than she is putting out in the next twenty years in order to pay for the interest and the capital and to make up for the lost taxes on this property on Boylston street. I should like to say on that, that the question of this Arlington street extension is really almost identical with the question of the widening of Union Park street. I should like to read, if you will allow me to do so, Mr. President, about ten lines of what I said about Union Park street. In my opinion the situations are almost identical. Of course, I do not believe in the traffic argument seriously in either case. But I said, when the matter of the widening of Union Park street was before us:

"My third, and much the most important, reason, is that we have the most definite assurance of Monsignor Splaine, who came before the Executive Committee, that if this improvement, costing about $75,000 is put through, the Archbishop intends to build on the widened street a model tenement house that, according to his figures, will cost about half a million dollars. That will bring into the city directly each year about $8,000, and in that way, looking at it as a pure business proposition, would pay for the improvement in ten years; and so I shall vote for the proposition, the same as I would if it was simply John Smith in the same way; although the benefit in this case will not be measured entirely by the fact that a model tenement house costing half a million dollars will be placed there, but there will be the benefit of the good housing that will be offered to people who live in that section and the example of such a place to the whole neighborhood."

It seems to me that exactly the same line of reasoning applies here — that the only sound, economic justification for the widening of Union Park street, which was adopted here practically unanimously, was because the city expected to receive and would receive a return in taxes. You may say that we are spending more money here. That is true; but, on the other hand, instead of a half million dollar apartment house, we are going to have several million dollars worth of property. In other words, the improvement that we get keeps in exact step with the money we spend or is even greater. I feel fairly sure of the reasoning I have given on this matter, first, because I think it is inherently sound. I don't think you can pick a flaw in it; I don't think there is a flaw in it. As I say, the figures I have given may be $100 too high or too low, but the principle is there. There is a second question involved. Admitting that this is all right, admitting that it is a good thing, we come now to the question whether we have made the best bargain, because, of course, if we can get this for $100,000 less, I shall be very pleased to get it. If we can get it for $200,000 less, or for any sum less, I would be glad to do it. But let us see how it actually works out. As the chairman of the Finance Committee has said, we have had knowledge for years and years that at one extreme we have had Mr. Laurence Minot and at the other extreme we have had Mr. John F. Fitzgerald. As the chairman of the Finance Committee has said, we all know that they have not agreed; we all know that they have opposed each other. We all know that they have attacked each other, wherever possible. And yet both those gentlemen now say that this is the best bargain that the city can make. There are just two explanations of that. One is that the mayor really thinks that this is the best bargain that we can get, and that Mr. Minot does. I cannot believe, and I do not believe any man here believes, that Mr. Minot — who has been president of the Good Government Association for years and who is supposed to be, and in my opinion is, a public spirited citizen — within six months of the time of his resignation as president of the Good Government Association has become something different from what he was before. I cannot believe he would come up here and advocate this thing in his private capacity if he did not believe it was a good thing for the city, or that he would do so as an agent, a paid tool, or hireling of this great corporation. I cannot believe he would come up here after all the talk he has given us about good government, and advocate something which is to the disadvantage of the city. As I say, either Mr. Minot, his Honor the Mayor, the Boston Chamber of Commerce, the Metropolitan Improvement Commission and the Massachusetts Real Estate Exchange, who have all studied this matter, really think it is the best bargain that the city can get — and they have given more time to the subject than any of us have — or else the suggestion that was made at the hearing by a gentleman in this city is true. I will quote from the statement of that gentleman on page 48 of the hearing in regard to the extension of Arlington street, held on December 12, 1911:

"I want to say that it is my candid opinion that these men" —and he is here speaking about men who control a good deal of property in the downtown business section—"I want to say that it is my candid opinion that these men also control, through their financial alliances, the Real Estate Exchange, the Chamber of Commerce, the Finance Commission of Boston, the Good Government Association, and there is a widespread belief—I hope it is not so—that they control this body."

I do not believe that that is true. We have these bodies, we have these men, saying that this is the best bargain we can get on this proposition, and urging us to appropriate this money to put through this improvement which is going to bring such inestimable benefit to the whole South End and which is going to bring back more money into the city treasury than we pay out. I do not believe that statement. One of the organizations mentioned by this gentleman in the little statement I have just read was the Finance Commission. How do they stand on this matter? On March 13, 1911, Coun. Buckley introduced the following order:

"That the Boston Finance Commission be requested to make an investigation and report to the City Council on the advisability of the extension of Arlington street, from Boylston street to Providence street, at an estimated cost of $800,000."

The order was declared referred to the Executive Committee. Then Coun. Buckley spoke, and with his permission I will read what he said:

"Mr. President, I move reconsideration of that reference. I introduced the order simply that we might have the benefit of the advice of the Finance Commission on the matter so that when we came to vote on it we might vote in an intelligent way."

Note especially that sentence—"so that when we came to vote on it we might vote in an intelligent way."

"Therefore, I move reconsideration of the reference and hope the Council will pass the order now. I don't see what harm can be done by that action, and we can thereby get the benefit of their investigation."

Reconsideration of the reference prevailed, and the order was passed. That was on March 13, 1911. We have received no word from the Finance Commission on this subject—and I presume, of course, that the Finance Commission knew that this matter was coming up to-day. I presume it

is perfeetly safe to say, they not having urged us not to appropriate this money, that silenee means consent on their part and that the Finance Commission is to be added to these other hodies—the Boston Real Estate Exchange, the Boston Chamher of Commerce, the Metropolitan Improvement Commission—in favor of this proposition. I trust, gentlemen, tbat reconsideration will prevail, and that we will pass this order for $400,000.

Coun. SMITH—Mr. President, I am interested in this suhject for two reasons. The first is, because of the personalities whieh have been thrown out continually in tbis dehate so far in regard to the attitude taken hy such public hodies as the Finance Commission and others. The seeond reason why I am interested in it is that I think the city as a whole, and not any one locality, is to henefit hy the improvement. On the first point, as to the personalities and the puhlie hodies interested, I will say tbat I received the indorsement of tbe Good Government Association when I ran for office. I helieve in their methods. When their candidates were running this year I loyally supported them. I made statements in public that those men wore no shackles, had nohody's collar on them, and I sincerely believe that to-day. But a condition has arisen which demands explanation. When this subject was up hefore, the impression would have heen given to anyhody going into a committee room where we were deliberating that the majority of this Council were entirely in favor of the extension of Arlington street as far as Columhus avenue. Tbe only objection suggested to the order was as far as the widening of Ferdinand street was concerned. I would say that I, for one, and I think I can say it for the puhlie at large, got that impression. I don't know whether that impression was given honestly or disbonestly, but that was the impression that I got and that other individuals and the eommunity at large got. Between tbat time and this a curious ehange has eome ahout. I find that the majority of the Council is opposed to this. Of eourse, we bave had no deliberation on the suhjeet as a hody, and I presume it is due to some other influence. It cannot he due to the Chamber of Commerce, hecause Mr. Frederick P. Fish and Mr. Leslie Wead, sitting on their committee, decided that a hargain not as good as this was the hest one that could be obtained for the city at tbe time they were deliberating. It cannot be from the Real Estate Exchange, beeause we have before us to-day a eommunication from eminent citizens urging us to pass this. Now, where does the influence eome from? I like to go to the Finance Commission for advice, and every time I go I urge them, whenever they have any facts or figures on any public matter, to let me know, and I am as sincere in that statement as any memher of this Couneil. I understand that yesterday afternoon a majority of this Council, a safe majority, went to the Finance Commission—whether by tbe request of the Finance Commission or aeeording to an appointment that they themselves made, I don't know ahout that, and I don't care—and I attrihute this radical change in front on this great metropolitan improvement—and if I am wrong I hope somehody will deny it—to sometbing that was said at their meeting with the Finance Commission yesterday afternoon.

Coun. KENNY—Mr. President.

President COLLINS—Does the gentleman yield?

Coun. SMITH—If the councilor wishes to ask a question, I shall he delighted to yield.

Coun. KENNY—Mr. President, responding to tbe invitation of the memher, I simply desired to enter a denial.

Coun. SMITH—Mr. President, at the end of my speeeh he will have ample opportunity to deny or affirm. Therefore, I think it is worthy of attention that this change of attitude is due to some facts which bave heen laid before the majority of this hody. Thus far in the debate no facts have heen presented. If the Finance Commission have facts worthy the attention of the majority, why not consult the four minority? Give them the benefit of their superior advice, and I take it that even the minority might see the light. I have communicated my desire for information to the Finance Commission. To-day, learning the facts which I have just stated, that the majority of the Council bad heen in consultation with them, and knowing very plainly in committee about the change of front, I personally desired to get the facts which must have swayed this body. Of eourse, it could not have been because of a mere request that they do a certain tbing. I do not helieve that. There must have been facts. I therefore went and called up Mr. Sullivan and asked him if he had any facts on this suhject that he could give me. He said flatly, "No." I asked him if he had any advice. He said, "I wouldn't bave given you any advice unless you bad come to me." Whether he meant hy that that he had no adviee worth giving or that he did not intend to give me the advice, I don't know. Then he went on to say tbat it was simply a matter of opinion whether the city was getting a square deal in this matter or not; it is guess work; it is guess work for the majority of the hody or for the Finanee Commission, or anyhody that interferes in the matter; nobody can tell the amount of value to be put on the Park square land; there are no facts and figures which are now bcfore us; we have simply got to make up our minds as to whether that appropriation or that loan will bring ahout a corresponding benefit to the city. And he stated that frankly to me. Now, if that is the position, if there have heen no faets or figures presented to the majority of this hody to sway their opinion so radically, I submit that I tbink they are making a grave mistake in turning down this publie improvement. That is the first point as to the personalities which have entered in here. I wish that Coun. Kenny's remarks ahout the great corporation, the New Haven road, would be put in my remarks. They are excellent, and I agree with them *in toto*. But I deplore the part of his remarks where he attacks and lacerates the Mayor because of statements attributed to him in one paper in Boston. So much for the personal side of the thing. Now, for the henefit to the city as a whole. Coun. Kenny has claimed that this was just a local matter. Well, as a local matter, Coun. Hale bas dealt with it on a dollar and cent basis. Let his figures stand, or let us get up here and dehate them. But I think there is another side hesides the dollar and cent side, and the henefit of that immediate locality. I submit that this is of interest to the whole City of Boston. If it were not so, we would not have bad the Chamher of Commerce, the Real Estate Exchange and the Improvement Commission expressing the opinion they did in the matter. It is of interest to the whole City of Boston. Why is it of interest? You have a wedge-shaped piece of land in hetween Columbus avenue and Boylston street, two main arteries. You have coming into that same Park square, Pleasant street, which is to he widened—another artery. You have coming in there Charles street, another artery. Right in the center there you have a wedge-shaped piece of land that has been vacant for a generation. It has caused the whole South End district to hang hack. Thc term to which Coun. Attridge so much objects,—I suppose he ohjects because there is some measure of truth in it,—the "faded district," has heen made true largely hecause of the Park square land. We have heard a great deal of talk in Boston about radial highways. We are trying to make highways for our city. We are penned in in tbis little downtown district; we are constantly up against congestion. We are talking about Washington street arcades, ahout subways and what not, to get rid of this congestion; and at the same time we neglect a very ohvious opportunity to get rid of the congestion. Here is this wedge-shaped piece of land holding back not only the immediate locality, hut all the land lying beyond it in a widening segment, and that is why this is of interest to the whole city. I hope this Couneil is not going to deal with this matter as it seems as though it is now—that it is not going to first chop off the Ferdinand street end and then begin to dicker on the price after the priee has been a matter of dehate for a year. They don't claim that they are going to gain anything by this delay; they have not hrought forward an argument to show what they are going to gain by dclay, not one. In committee Coun. Ballantyne brought forward the following argument. I hope he will put that argument into the record. But, supposing he does not want to do so, for one reason or another, I will try to state it fairly. He says that the value of the Park square land and the value of thc buildings adjoining the extension of Arlington street are disproportionate, and that they should hear their proportionate cost of this improvement. He says that if we decide against this order and introduce an order for $650,000, the total expense, we will then force the Park square people to put through Arlington street, to cut up the land adjacent to the street, and we will then he enabled to

levy on those lots the total assessments, the total hetterment charges. Now, supposing we do that? That is where his argument hreaks down, in my humhle opinion. He does not show that we are going to get from those lots, when they are cut up, any more than the $250,000 which the New Haven road is to he assessed under this plan. If he can show me or show any of us here where the New Haven road is to he ohliged to pay more than $250,000 under his plan, I will gladly adopt it; but up to date, he—at least, hy his argument in committee—failed to develop that point. He said he hoped it would be so. Instead of going on hopes any longer in connection with this great improvement, let us do it now. Let us stop procrastinating. When we are satisfied, as most of the people in the community are satisfied, that we have a good hargain, don't let prejudice against the Mayor of this city, don't let prejudice against Laurence Minot, don't let the persuasive talk of anyhody without facts—be it the Finance Commission or anyhody else—sway the majority of this Council to sit hack and procrastinate longer on what is of interest not to this locality alone, but to the whole city.

Coun. HALE—Mr. President, I should like to ask the gentleman who has just taken his seat some questions. First, as I did not quite understand your statement—did you say you telephoned to Mr. Sullivan and that he said he had an opinion on this extension of Arlington street?

Coun. SMITH—He said that he had a private opinion, but that the commission did not desire to express any opinion as a commission. His opinion was a private one, not hased on facts and figures, but simply on a feeling.

Coun. HALE—Did you say that he said nothing about this order of Coun. Buckley's that had heen presented—whether they had made any investigation on the request of Coun. Buckley, which was passed unanimously hy the Council, on this suhject?

Coun. SMITH—He did not refer to that subject at all.

Coun. HALE—Did he say, Coun. Smith, tbat he would not have given you the opinion if you had come there?

Coun. SMITH—He told me that he had no opinion that he would have given me, unless I asked for it.

Coun. HALE—One more question. Did you say that you understood the majority of the Council had a conference with the Finance Commission yesterday on this subject?

Coun. SMITH—I did.

Coun. HALE—That is all.

President COLLINS—The question is on reconsideration.

Coun. BUCKLEY—Mr. President, I shall be very hrief in my remarks. I have rather enjoyed the discussion this afternoon, and I hope during the coming year I shall enjoy a great many more such discussions. I was very much interested in Coun. Smith's remarks about the minority of the Council. I don't know just who they are, unless Coun. Curley and myself are referred to, and I don't think we are so dense that it needs much to make us see the light. I am glad, however, that there are a few more in this body who can be considered a minority with us, at times. With reference to that order introduced by me last March, it was introduced in good faith, wishing to get the information which we ought to get from the Finance Commission, as it is a part of the government of the City of Boston. But the Finance Commission never saw fit to report on that order; and to another order of a different character, which this Council also passed, introduced hy me, the Finance Commission never paid even the slightest attention. It is possible that they have never considered me a part of the city government of Boston, although I have been elected hy the people, the same as the other members of this City Council. It is certainly true that never during my term in the city government have I been invited to any conference by the Finance Commission of the City of Boston, although it is common knowledge that the other memhers of the City Council have heen so invited, and they are advised, as I understand, how to vote. However, I am glad that they are taking this position to-day, because it is the position I have taken from the start, and to-day I am glad to be considered one of the majority of the Council, so far as this particular improvement is concerned. I feel that way, because I helieve there are so many much more needed improvements in the City of Boston at the present time than this particular one. We bave had frequent hearings on the proposition, we have given it careful attention, I understand you gentlemen have heen very carefully instructed hy the Finance Commission of the City of Boston as to just what you should do, and I have listened to the very instructive remarks of the chairman of the Finance Committee on this matter this afternoon. I know that he very carefully prepared his statement and he enlightened me very much, so that as a minority memher of the Council I saw the light. I helieve absolutely that the Council is voting right this afternoon, and I want to congratulate the members that they are not controlled by anybody called the Good Government Association, that they are acting independently and of their own free will, and that they are voting as their consciences dictate here this afternoon, as I am doing. As you know I am very friendly to his Honor the Mayor, and I can say truthfully tbat he has not asked me to vote one way or the other on this proposition. So he certainly has kept his hands off as far as I am concerned, and I am supposed to he the only Fitzgerald man in the City Council. But I notice that when he wants the votes of the other members he can get them just as quickly as he can mine. In my opinion, while this may be a much needed improvement, it seems to me that the New York, New Haven & Hartford Railroad and the people who own that property where this street would he built ought to stand the entire expense. I don't see why the City of Boston should contribute one solitary cent toward the development and improvement of this property. It is those people who will he benefited, and they certainly ought to stand the expense for the entire improvement, and if the city is to contrihute anything, it should he a very small portion. I don't like to talk ahout campaigns, hut I also went through a campaign recently, and this was one of the issues of that campaign. I told the people what I thought at that time, and I think the people would a great deal rather see other improvements. I am not opposed to Mr. Laurence Minot, except to this extent, that I do not think he is a fair man, and I don't think he has changed so much in the last six months since he resigned as president of the Good Government Association. In my opinion he is now what he always was. He has not changed a bit. He is the same man and cannot be different. If this proposition were one that I believed would be for the hest interests of the City of Boston, if I helieved that the money would come back into the City Treasury and if I helieved that it were really a much needed improvement, no matter whether it was Mr. Laurence Minot or the New York, New Haven & Hartford Railroad back of this, I would be witb it to-day. But I don't think it is such a much needed improvement at this particular time. I helieve it can wait. I believe there are other more pressing necessities at this time than the extension of Arlington street. But if the Street Commissioners report that this is a much needed improvement, and that Mr. Minot, or whoever owns that property—the New York. New Haven & Hartford Railroad or somebody else—will contribute so much money, which I helieve should he at least something more than half the cost, I would be willing to vote for that. Certainly, however, the way this order comes in here to-day, I am not willing to vote for it, and I congratulate the majority of the memhers of the City Council that they are beginning to see the light and that they are voting independently.

Coun. SMITH—Mr. President, I am hoping for some real arguments here. I have heard Coun. Kenny in support of the rejection of this order, and I have heard him deliver an attack upon the Mayor. I have listened to Coun. Buckley, and all I heard from him was an attack on Laurence Minot. I want the majority of this Council to feel what I believe to be the fact, that the hurden of proof is upon them. This thing has heen hanging fire for two years. We have got a good, square offer. If they do not believe we have a good square offer, let them point out why it is not such. Don't stand up and attack individuals; get down to brass tacks and point out your reasons for voting against this order. Goodness gracious! We have recently acted on a contract here covering ten years and involving $3,000,000, and not a single memher who voted for it explained why he did so here, except Coun. Hale; and you propose to vote here to-day on a $400,000 order and not hring forward one argument, simply attacking men, resorting to personalities. I tell you that you cannot go on voting in this way in a cut and dried manner without giving the puhlic some reasons. This is not a local

matter. The public are interested, and if Coun. Kenny, Buckley or Ballantyne have any instructive arguments, let us hear them. Give the people of the town the benefit of them. If you don't believe the price is fair, why isn't it fair, and what is fair? But you get up here and in a vague sort of a way say that the railroad ought to pay more, and when I ask the privilege of asking Coun. Kenny how much more he refused to allow the interruption. But he scents what I wanted to ask, because in the next sentence he says, "I don't think it is up to me to say how much more." When I ask for definite, cold facts I do not get them. We just get personal attacks. Now, this is not a matter of attacking persons, it is not a matter of personalities, hut it is a matter of dollars and cents and the interests of the whole city; and when you gentlemen come in here and vote in a cut and dried fashion, just as you did on the garhage contract, it is not right. It is not fair to the people of this town.

Coun. KENNY—Mr. President, I suppose that the memher on my left has said all he wants to say here this afternoon. If he has not, I will suhside and let him finish. The garhage contract—what has that got to do with this matter? As I recall the garhage contract discussion, it had extended over a period of ahout two years. We had numerous hearings, we heard the testimony, we listened to the arguments of counsel. I understand that the Council, one night when I was not present, sat here until after midnight listening to the evidence. I sat a whole afternoon listening to the arguments, and after we had heard the arguments and read the report we came in here and voted. I congratulate the Council that we are not a lot of talking circumlocutory idiots. I think that we exercised intelligence by our votes on that occasion. I, for one, thought that the commercial integrity of Boston was at stake in that matter, and I recorded my vote on the side which I thought was for the interests of Boston. Because I did not see fit to stand up here and continue a talk that had been going on for a year and a half, evidence and arguments, and hecause other members did not do likewise, the member—who for the first time this afternoon has actually held himself in restraint for ahout an hour—hreaks out into personalities. No member of this Board up to the present moment except himself has indulged in personalities. I argued the question on its merits—at least, I attempted to do so. If I failed, that is my fault. Let my confrères he the judges of whether I failed or not. It is not for him to say that I failed, simply got into personalities, in the attempt to draw me into further discussion. I said all that I care to say. Has he said all that he cares to say? If he has, let him vote, and record hy his vote his intelligence. He will be judged, I think, not hy his talk at these meetings from time to time, hut hy his vote. At the time when I came into this hody, two years ago, I attempted to exclude from the record these speeches, feeling that they might prove a hindrance, a menace to the proper performance of our duties here, a standing invitation to make speeches. A question is discussed hy the same memher several times. In most hodies, as I understand it, a man who has already spoken cannot speak twice until all the other memhers wishing to speak have spoken; hut here, time after time, members rise and discuss questions over and over again, and then they resort in the last minutes of the debate to personalities. My friend knows, and my friend from Ward 11 who sits opposite (Coun. Hale) knows—he has not said anything in that line, but he knows it—that I wear no man's collar; that neither the chairman of the Finance Commission nor any other man in Boston or on earth's green surface controls my vote in this body. The man does not live who can say so. I take orders from no man, and I shall take orders from no man while I sit here. I hold myself as a servant of the people, and I will not without entering my protest lose the opportunity which I now have of repudiating such insinuations as have heen made here. I hold myself here the humhlest memher of this hody, hut a servant of the people, wearing no man's collar, and any insinuation to the effect that I do is not prompted by honesty. It is a mere sham, a pretence, and has no place in this hody. We are here as trustees of the city; we are here to discuss the business of the city and to vote on the matters that come hefore us, and we are here to act as gentlemen. I hope that he will not forget what our duties are.

Coun. HALE—Mr. President, words, words, words! This question of the conference with the Finance Commission interests me, Mr. President. Possibly you can help me out on it. On March 13 a formal request for advice and assistance on this particular question at the hands of the Finance Commission was passed unanimously by the City Council. Now, as the facts stand,—I don't know whether they are true or not, hut they have not been denied,—the majority of the City Council conferred with the Finance Commission on this suhject upon which the Council as a whole asked advice. I don't know whether the majority got an opinion or not. Coun. Smith says that the chairman of the Finance Commission had an opinion one way or the other. The majority of the Council, however, went up to discuss the matter with the chairman of the Finance Commission and possihly other memhers. I suppose it is a fairly sure inference that the opinion of the chairman of the Finance Commission was expressed at that interview. It seems to me either that that opinion is worth something, or that it is worth nothing. Coun. Buckley and the whole Council on March 13, 1911, asked for help from the Finance Commission on this suhject. Now, if the opinion of the chairman of the Finance Commission is worth something, should not that opinion have heen given to all the memhers of the City Council? Are not Coun. Buckley, Smith and I entitled to get the henefit of the opinion? If it is worth nothing, let us judge in regard to that. We can tell by listening to the opinion whether it is worth something or nothing. But it does seem to me that it is either worth something—in which case it ought to he presented to the whole body, in reply to our formal request—or it is worth nothing; in which case, as I say, we should he given an opportunity to decide. If it is an opinion that they did not want to make puhlic, they might have called us into secret session. Star chamber proceedings can be had with nine as well as with seven, and there can he as little notoriety growing out of them with nine as with seven, six or five. But it seems to me all the memhers of the Council are entitled to this opinion, —whether, on the one hand, it is worth something, or, on the other hand, it is worth nothing. Now I pray for light in the matter from the President, who is always fair-minded and who, I think, will see the force of my argument. I should like to ask him if there was a conference between the Finance Commission and the majority of this City Council on this question yesterday and, if so, at whose request?

President COLLINS—The Chair will state that the chairman did not communicate with the Chair at all, directly or indirectly, and that the chairman of the Finance Commission has not, so far as I am concerned, ever indicated what he helieved to he his judgment on this proposition.

Coun. HALE—Mr. President, that was not quite the question.

President COLLINS—That is the answer of the Chair, Coun. Hale. The question comes on reconsideration.

Coun. SMITH—Mr. President, I still desire facts, because I am of open mind. Coun. Kenny has taken about twenty minutes earlier in the meeting in one speech, and has just sat down after speaking ten minutes more, and yet we have heard him indulge in nothing hut personalities against the Mayor. If he has any arguments, if he is willing to tell us why he wishes to turn down this order, I shall he very glad to hear what he has to say.

Coun. KENNY—Mr. President, hefore voting, I would like again, in closing, simply to remind the memhers of the Council that they are still waiting for figures and facts from the Mayor, under the propositions in our report made Decemher 18, 1911.

The motion to reconsider the rejection of the order was lost, Coun. HALE calling for the yeas and nays, yeas 2, nays 6.

Yeas—Coun. Hale, Smith, 2.

Nays—Coun. Attridge, Ballantyne, Buckley, Collins, Kenny, McDonald—6.

PUBLIC LANDS.

Coun. SMITH, for the Committee on Public Lands, suhmitted the following:

(1) Report on message, communication and preamhles and order (referred Septemher 11) abandoning rights on certain lands situated hetween Park street and Neponset avenue—that the preamhles and order ought to pass.

Report accepted; preambles and order read once and passed, yeas 8, nays 0. Assigned for fourteen days for final action.

(2) Report on message of Mayor, communication and order (referred December 18) for release of land on North Grove and Fruit streets — that the order ought to pass.

Report accepted; order read once and passed, yeas 8, nays 0. Assigned for fourteen days for final action.

(3) Report on message of Mayor, communication and order (referred December 18) authorizing release of restrictions on lands at Fenway — recommending the passage of order in the following new draft:

Ordered, That the Board of Park Commissioners, with the approval of the Mayor, and by an instrument or instruments satisfactory to the Law Department, may in the name and behalf of the City modify and amend the restrictions contained in deeds or agreements given to the city by the owners of lands abutting upon the Fens, including the entrances thereto and the Charlesgate, by altering or amending paragraph two of said restrictions so as to permit the erection or placing upon said lands of apartment houses costing not less than four thousand dollars per story for every twenty-five feet or less of frontage and at the same rate for any greater width; it being understood that the authority hereby granted shall not extend to lands lying north or west of Brookline avenue.

Report accepted; order read once and passed, yeas 8, nays 0. Assigned for fourteen days for final action.

(4) Report on order (referred June 13) for transfer of city land on Shirley street to the Park Commissioners — that the order ought not to pass.

Report accepted; said order rejected.

(5) Report on message of Mayor, communications and preambles and order (referred December 18) for sale of land on Common and Warrenton streets — recommending passage in following new draft:

Whereas, The Board of Street Commissioners, under authority conferred upon said Board by acts of the Legislature of the Commonwealth of Massachusetts, did take for school purposes, by an instrument recorded with Suffolk Deeds on the twenty-eighth day of June, 1910, certain lands situate on Common and Warrenton streets in said Boston, including a parcel of land containing 1,582 square feet more or less, supposed to belong to George P. Darrow heirs and Mary C. Darrow, and

Whereas, The Board of Schoolhouse Commissioners, having charge of said lands taken as aforesaid has notified the City Council that in its opinion the above-mentioned parcel of land containing 1,582 square feet more or less, taken from said George P. Darrow heirs and Mary C. Darrow is no longer required for public purposes, it is hereby

Ordered, That the Mayor be and he is hereby authorized in the name and behalf of the city and in accordance with the provisions of chapter 25, section 50, of the Revised Laws, to sell and convey said parcel of land taken as aforesaid from said George P. Darrow heirs and Mary C. Darrow for a sum not less than ten thousand five hundred dollars and for such consideration, and upon such other terms as he may consider proper, to execute in the name and behalf of the city a deed of said premises satisfactory to the Law Department.

Coun. BALLANTYNE—Mr. President, I wish to say that while I do not oppose the sale of this land, there is a slight difference of opinion on the part of the city as to the price that ought to be had for it. I shall be very glad if the city can get $10,500 for that lot of land, but the real estate expert of the city, Mr. Kiley, has looked into this matter very thoroughly, and seems to think that the price of $10,000 would be a good price for the city to receive for that property. As I understand, at the present time it is assessed for $9,600; it is bringing in a rental of $600 a year, I believe, and paying the city a net profit of about 2 per cent. Mr. Kiley informed the committee that, if we are willing to accept it, he thinks he can sell the property for $10,000, and that that is a good offer. He is afraid that if we put a higher price on it we will lose a prospective customer and that the property will lie on the hands of the city for a considerable length of time; that we will also have to spend several hundred dollars to bring the building into conformity with the building laws with relation to fire escapes, and so on. So I am in favor of the passage of the order in a form which will allow of the acceptance of the sum of money the expert recommended, $10,000.

Coun. SMITH—Mr. President, I would like to say just a word. We bought this land for $11,830, for the purposes of the High School of Commerce. We now have an offer of $10,000 for it. It seems to me, from my short experience in the City Council, that the city always gets stuck coming and going, that it pays more than other people when buying land and gets less when selling it. I think that in this case we might be getting what the land was worth at $10,000; at the same time, I would like to get $500 more, if possible. That is the reason why I made the figure $10,500. We will then be taking more than $1,300 less than we paid, even at the figure stated in the order. If we return to the Mayor's order, I want it distinctly understood that there is no price stated in the Mayor's order, at all.

Coun. BALLANTYNE—Mr. President, I understand that the intention is to put the question on the amended order.

President COLLINS—The question is on the amended order.

The amended order, as reported by the committee, was given its first reading and passage, yeas 7, nays 0, and will take its final reading and passage not less than two weeks from to-day.

SOLDIERS' RELIEF.

Coun. HALE, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of January.

Report accepted; order passed.

COMMITTEE ON CITY PLANNING.

President COLLINS appointed as the committee on City Planning, under the order offered by Coun. Hale at the last meeting, Coun. Hale, Attridge and Kenny.

COMMITTEE ON ORDINANCES.

Coun. McDONALD, for the Committee on Ordinances, submitted the following:

(1) Reports on various papers—recommending reference of same to the Executive Committee, viz.:

Ordinance (referred October 30) relative to the keeping of live fowl, etc.

Ordinance (referred December 29) relative to the use of fire arms.

Ordinance (referred June 13) to establish a City Planning Commission.

Message of Mayor (referred March 13) relative to ordinance establishing fees for permits.

Message of Mayor (referred February 13) relative to ordinance concerning fees for permits.

Ordinance (referred July 7) concerning fees for permits for coal holes, etc.

Report of Committee on Ordinances and ordinance (referred February 13) relative to fees for permits.

Ordinance (referred February 13) relative to fees for permits.

Reports severally accepted; said references ordered.

(2) Reports on papers—that the same ought not to pass, viz.:

Order (referred May 15) relative to the placing of portraits in Faneuil Hall.

Message of Mayor, communication and ordinance (referred 1911) relative to children on streets in so-called "business section" after nine o'clock p. m.

Reports accepted; order and ordinance rejected.

(3) Report on papers — that the same be placed on file, viz.:

Communication from Law Department (referred July 17) relative to children on streets.

Communication from Public Recreation League (referred October 9) in favor of consolidation of Park, Public Grounds, Bath and Music Departments.

Reports accepted; said papers placed on file.

(4) Reports on various papers — that no further action is necessary, viz.:

Order (referred May 8) that Committee on Ordinances give a hearing relative to children loitering on the streets in business section after nine o'clock p. m.

Petition of the Master Bakers' Cooperative Association of Boston (referred July 17) that ashes he removed without charge.

Message of Mayor, ordinance and order transferring $13,000 for extended use of school buildings.

Order (referred Septemher 11) to accept chapter 367, Acts of 1911, relative to use of school halls.

Communication from Finance Commission (referred October 30) on extended use of school buildings.

Message of Mayor (referred October 30) in favor of accepting act for use of school halls.

Message of Mayor and order (referred October 9) for transfer of $13,000 for extended use of school buildings.

Coun. BUCKLEY—Mr. President, for my own information I would like to ask just what would become of the schools in case those ordinances are laid aside? That is, I would like to ask if the School Committee has the right to go ahead and allow school buildings to he used for any purposes they see fit, without an ordinance of this kind heing passed?

Coun. McDONALD—Mr. President, there is a bill in the Legislature to give them the right, and, as the City Council cannot give them the right, under the decision of the Law Department, we reported, "No action necessary."

Coun. BUCKLEY—Mr. President, it seems to me when that matter comes before the Legislature the City Council ought to be represented there and state its views on the matter of whether or not the school buildings should he opened for every purpose, or for what purposes they should he opened. It seems to me the school buildings are the most important things we have in this city, and I believe it is only right that the City Council should express its views at the State House, through a properly authorized committee, when the matter is up for hearing before a committee of the Legislature.

The reports were accepted.

(5) Reports on various papers—that the same ought to pass, viz.:

Message of Mayor, communication and ordinance (referred September 11) relative to the collection of refuse.

Message of Mayor, communications and ordinance (referred Decemher 18) transferring the Parker Hill reservoir to the custody of the Park Department.

Reports accepted; said ordinances passed.

(6) Report on ordinance and communication (referred Octoher 16) relative to use by more than one person of towels in lavatories or wash rooms—recommending reference of same to the next city government.

Report accepted; said reference ordered.

PURCHASE OF WHARF PROPERTY.

Coun. SMITH offered an order—That the sum of thirty thousand dollars ($30,000) be and herehy is appropriated, to be expended under the direction of the Commissioner of Public Works, for the purchase of wharf property on Condor street, East Boston, owned hy the George E. Young heirs; and that to meet said appropriation the City Treasurer he authorized to issue honds or certificates of indehtedness of the city to said amount.

Referred to the next city government on motion of Coun. SMITH.

CLOSING OF STREETS.

Coun. ATTRIDGE offered the following:

Ordered, That the City Messenger rope off such streets as the Police Commissioner may require on Monday, January 29, 1912, in connection with the arrival from Europe of his Eminence Cardinal O'Connell and the parade from the steamship terminal to his home; the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses.

Ordered, That the Police Commissioner be authorized to close to travel hy vehicles, except fire, police, hospital and mail wagons, such streets as may be required on Monday, January 29, 1912, on the occasion of the arrival from Europe of his Eminence Cardinal O'Connell.

Ordered, That the Police Commissioner be authorized to close to travel hy vehicles, except fire, police, hospital and mail wagons, such streets as may he required, in the vicinity of the Cathedral of the Holy Cross, on February 1, 1912, in connection with the exercises at said Cathedral celebrating the return from Europe of his Eminence Cardinal O'Connell.

Orders severally passed, yeas 8, nays 0.

ENTRANCE OF GRAND TRUNK RAILROAD.

Coun. McDONALD submitted the following:

Whereas, The Grand Trunk Railroad has petitioned for the right to enter the port of Boston.

Whereas, The entrance of this railroad will mark a distinct step in the commercial development of this city; and

Whereas, The estahlishment of this new route to the West will mean the employment of thousands of citizens of this city; therefore, he it

Resolved, That we, the City Council of Boston, in meeting assembled, extend our thanks to the Boston *American* for its successful efforts in molding puhlic interests to the importance of bringing another railroad to Boston and its persistent fight to accomplish this end; be it further

Resolved, That we urge the General Court of Massachusetts to expedite the introduction of the Grand Trunk Railroad to Boston by favorahle action on the company's petition as speedily as the public welfare will permit.

Coun. McDONALD—Mr. President, I do not propose to take up the time of the Council at this late hour in an effort to show the Council why the entrance of the Grand Trunk Railroad into the port of Boston is a good thing for Boston. Some three months ago the Boston City Council adopted resolutions, in conjunction with the Chamber of Commerce and other civic organizations and the Massachusetts Legislature, in an effort to have the Grand Trunk enter the port of Boston. They have now petitioned the Legislature with that end in view, and I hope the City Council will go on record as favoring the entrance of the Grand Trunk in the City of Boston and asking the Legislature to suspend all necessary rules in order to grant the petition of the Grand Trunk Railroad.

The preambles and resolution were adopted.

GENERAL RECONSIDERATION.

On motion of Coun. ATTRIDGE the Council refused a general reconsideration of all action taken to-day.

Adjourned, on motion of Coun. ATTRIDGE, at 5.41 p. m., to meet on Monday, January 22, at three o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 22, 1912.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair. Absent—Coun. Curley.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of chapter 514, Acts of 1894, viz.:

Forty-five traverse jurors, Superior Civil Court, First Session, January Sitting, to appear February 12, 1912:

Frank H. Hilton, Ward 12; John R. Lunt, Ward 22; John P. Noonan, Ward 7; Arthur G. Brown, Ward 22; Joseph P. Murray, Ward 25; John M. Smith, Ward 13; George C. Eaton, Ward 24; Elmer J. Bliss, Ward 25; Thomas P. Harlow, Jr., Ward 18; John R. Trask, Ward 20; John Driscoll, Ward 8; John J. Donovan, Ward 13; Eugene D. Pierce, Ward 12; John C. McNamara, Ward 20; James A. Finn, Jr., Ward 17; George A. Coleman, Ward 16; Benjamin E. Hamilton, Ward 16; John J. St. Clair, Ward 24; Gabriel Gordon, Ward 20; William Edwards, Ward 16; Alexander D. Morgan, Ward 23; Thomas W. O'Brien, Ward 1; Walter R. Stedman, Ward 10; Luigi La Vita, Ward 6; Charles A. McCarthy, Ward 19; Thomas J. Joyce, Ward 14; Louis Rodman, Ward 13; Charles K. Cummings, Ward 8; Michael J. McCormick, Ward 15; John McCandish, Ward 10; Henry J. Marmein, Ward 22; Charles E. Robbins, Ward 10; Thomas E. Tuttle, Ward 20; Michael A. Spillane, Ward 19; William E. Wall, Ward 20; David H. Calder, Ward 24; William H. Osgood, Ward 17; David Gilman, Ward 9; George C. Caldwell, Ward 20; Bernard S. Aldrich, Ward 12; Archibald McDougall, Ward 23; Hans M. Sammet, Ward 19: Alvan S. Meins, Ward 15; Edward Marshall, Ward 24; Arthur E. Pendleton, Ward 12.

Forty-five traverse jurors, Superior Civil Court, Second Session, January Sitting, to appear February 12, 1912:

E. Hiram Goodhue, Ward 24; William B. Spence, Ward 25; Thomas I. Hartley, Ward 20; Frank H. Lowell, Ward 9; Byron C. Day, Ward 20; Arthur W. Blevins, Ward 20; George Houghton, Ward 22; George J. Gilbraith, Ward 12; Harry F. Ratshesky, Ward 11; Frank W. Morse, Ward 20; John Maroney, Ward 14; Albro F. Shorey, Ward 19; Patrick J. Daly, Ward 11; Charles M. Barnard, Ward 22; John L. Dorney, Ward 19; Thomas Ryan, Ward 15; Joseph W. Cook, Ward 7; Frank G. Dias, Ward 23; William H. Chapman, Ward 14; George A. Merrill, Ward 9; John McCloskey, Ward 24; Henry L. Rand, Ward 23; Daniel McKenney, Ward 1; Charles F. Goodale, Ward 24; Michael H. Hughes, Ward 15; William O. Hayden, Ward 15; John J. Whalen, Ward 13; Nathaniel F. Ayer, Ward 11; Timothy Doyle, Ward 23; Daniel McBride, Ward 4; Walter S. Ring, Ward 25; Francis C. Webster, Ward 9; Edward R. Williams, Ward 3; James T. Grant, Ward 15; Frank Cunio, Ward 23; James W. J. Manning, Ward 14; Thomas Murphy, Ward 20; Patrick Lennon, Ward 17; Walter C. Bird, Ward 18; Edward D. Paine, Ward 12; John J. O'Connell, Ward 2; Patrick Graney, Ward 19; Henry N. Morse, Ward 20; Edward H. Winsor, Ward 25; James J. McAndrew, Ward 8.

Forty-five traverse jurors, Superior Civil Court, Third Session, January Sitting, to appear February 12, 1912:

Ernest R. Dixon, Ward 24; John H. Ward, Ward 17; Patrick J. Dooley, Ward 17; John F. DeNeill, Ward 17; Abraham L. Hill, Ward 25; George A. Thompson, Ward 10; John F. Harrington, Ward 10; Edward F. Murphy, Ward 24; Edward L. Butler, Ward 1; Edward Foley, Ward 25; James E. Northall, Ward 15; Hubert A. Dennison, Ward 25; John M. E. Morrill, Ward 20; Benjamin F. Drake, Ward 20; Edwin M. Norton, Ward 25; William J. Willis, Ward 16; Charles E. Parker, Ward 24; John F. Lambert, Ward 5; Frederick P. Hawes, Ward 20; John Mullen, Ward 24; George Barnes, Ward 24; John Donovan, Ward 2; Joseph F. Cox, Ward 18; Louis Nelson, Ward 21; John H. Mosley, Ward 25; Carl Wessel, Ward 14; Daniel N. Cashman, Ward 24; James Conroy, Ward 17; Walter Ordway, Ward 20; John L. Turner, Ward 16; John H. Barkley, Ward 18; Joseph A. Bailey, Ward 3; Douglass Moreland, Ward 1; Timothy Foley, Ward 4; Valentine Richter, Ward 18; John P. Doris, Ward 4; James H. Gilligan, Ward 11; William E. Williams, Ward 16; Benjamin E. Drew, Ward 4; Murdock Boyle, Ward 20; Thomas N. Norton, Ward 23; Sylvannius P. Dexter, Ward 25; Edward J. Kelly, Ward 25; William B. Stone, Ward 10; John J. Korman, Ward 19.

Forty-five traverse jurors, Superior Civil Court, Fourth Session (Div. 1), January Sitting, to appear February 12, 1912:

Frank O. Lowe, Ward 19; Edward McGilvray, Ward 22; John J. L. Campbell, Ward 24; Moses M. Paradise, Ward 12; James F. Hayes, Ward 16; William J. Taylor, Ward 15; Cornelius Vander Pyl, Ward 19; Andrew R. Walls, Ward 4; Edward W. Berrigan, Ward 24; Benjamin Pearson, Ward 23; Daniel P. Harrington, Ward 18; Albert Corey, Ward 10; Hammond S. Smith, Ward 21; William Clark, Ward 1; Richard J. Hogan, Ward 1; Brewer C. Mackay, Ward 20; Patrick H. Cronin, Ward 14; Charles O. Dinsmore, Ward 24; John H. Kenney, Ward 3; Edward T. Bartholomew, Ward 7; Henry A. Ackroyd, Ward 19; Austin Bradshaw, Ward 15; George A. Millett, Ward 18; Joseph J. Landers, Ward 24; John R. Griffin, Ward 10; Thomas A. Barry, Ward 10; Frank E. Wayne, Ward 24; William A. Holmes, Ward 12; Arthur W. Cox, Ward 25; Harold W. Young, Ward 24; John G. Barrett, Ward 14; Leonard V. Wright, Ward 20; Patrick J. Fennell, Ward 10; Michael F. O'Hara, Ward 19; Frederick L. Macomber, Ward 20; Nelson Hagar, Ward 18; Thomas P. Connolly, Ward 9; Joseph Eager, Ward 24; Edward J. O'Brien, Ward 2; Cornelius F. Doherty, Ward 3; John A. Houston, Ward 9; Francis Kearney, Ward 8; Daniel J. Barry, Ward 16; Francis A. Hoagland, Ward 16; Patrick J. Roche, Ward 1.

Forty-five traverse jurors, Superior Civil Court, Fourth Session (Div. 2), January Sitting, to appear February 12, 1912:

Neten Glick, Ward 16; Charles W. Appleton, Ward 20; Joseph H. Gould, Ward 24; John M. Brewer, Ward 14; Augustus A. Haynes, Ward 24; John J. Scarry, Ward 24; Manuel S. Thomas, Ward 16; Guy C. Page, Ward 16; Patrick M. Galvin, Ward 17; Edward Neagle, Ward 4; Eugene Ahearne, Ward 24; Charles A. Stacy, Ward 12; Thomas J. Carley, Ward 17; Dennes J. Cummings, Ward 19; James T. Murray, Ward 10; Louis J. Dalahoyde, Ward 2; Patrick H. Raftery, Ward 18; Bernard Monagle, Ward 3; Joseph Kraft, Ward 8; Joseph G. Edwards, Ward 20; James E. Glennon, Ward 20; Cyrus C. Chase, Ward 22; James E. Scanlan, Ward 23; George V. Doherty, Ward 9; Charles H. Johnson, Ward 11; Henry G. Hall, Ward 20; Timothy A. Connors, Ward 5; Charles R. Osgood, Ward 24; John D. Drinkwater, Ward 1; Justus W. Peterson, Ward 16; Nathan Anthony, Ward 8; John F. Dunn, Ward 14; Frederick A. Ball, Ward 4; William C. S. Healey, Ward 2; Everett D. Wiggin, Ward 10; John A. Hanson, Ward 14; William J. Tyler, Ward 20; Francis J. Whitten, Ward 15; G. Warren Hayward, Ward 24; Charles L. York, Ward 4; Albert E. Roberts, Ward 2; George W. Ross, Ward 20; Edmund Purcell, Ward 23; John R. Parkin, Ward 16; Robert F. Quirk, Ward 9.

Forty-five traverse jurors, Superior Civil Court, Fifth Session, January Sitting, to appear February 12, 1912:

Frank J. S. Seldon, Ward 25; Charles F. Haskins, Ward 20; Daniel E. Healey, Ward 21; Thomas F. Conlan, Ward 23; Frederick A. Flagg, Ward 16; Carl J. Thoresen, Ward 24; James H. Stone, Ward 20; George A. Bath, Ward 21; Herbert H. Hilliard, Ward 25; Patrick J. Buckley, Ward 23; Charles E. Foss, Ward 21; Patrick J. Beasty, Ward 22; Edward J. Day, Ward 18; Benjamin Berenson, Ward 18; Frank J. Donovan, Ward 23;

Samuel F. Bauer, Ward 21; Robert J. Carnes, Ward 22; George M. Stearns, Ward 24; John E. Copeland, Ward 2; Daniel C. Lawrence, Ward 4; Louis Watson, Ward 25; Edward E. Piper, Ward 10; T. Frank Bell, Ward 23; Edward W. Dailey, Ward 20; Frank G. Hampton, Ward 12; George A. Burton, Ward 21; Sanford Small, Ward 16; James W. Barry, Ward 20; James E. Dalton, Ward 1; George W. Clough, Ward 15; Joseph W. Shaughnessy, Ward 14; Samuel S. Martineau, Ward 16; Gregory De Leo, Ward 2; John Merrill, Ward 14; John S. Thompson, Ward 3; C. Cameron Smith, Ward 16; Thomas J. Gargan, Ward 13; Albert Hackebarth, Ward 22; William S. Bronson, Ward 1; William W. Walton, Ward 22; William Pink, Ward 10; Benjamin N. Upham, Ward 20; Edmund S. Hyde, Ward 25; Thomas F. McNamara, Ward 18; Patrick L. Connor, Ward 12.

Thirty-five traverse jurors, Superior Civil Court, Sixth Session, January Sitting, to appear February 12, 1912:

Dennis W. Warren, Ward 15; Horace E. Fraser, Ward 20; James F. Gleason, Ward 12; John T. Brooks, Ward 17; Willis S. Kellogg, Ward 20; Solomon Keene, Ward 12; John M. Fiske, Ward 1; John A. Gerrity, Ward 22; Burnett F. Burns, Ward 23; Samuel O. Eastman, Ward 24; Fred E. Amsden, Ward 15; Edward J. Gould, Ward 25; Kaufman Breger, Ward 19; Melville E. Shorey, Ward 7; Thomas H. Keenan, Ward 16; George C. Bates, Ward 24; William H. Groux, Ward 21; Cyrus Davies, Ward 22; Timothy A. McKenna, Ward 18; Robert A. Chandler, Ward 10; Alexander Cohen, Ward 22; Joseph Glickman, Ward 18; William B. Young, Ward 20; Michael F. Dunn, Ward 22; Patrick J. Kinnier, Ward 2; Warner Demond, Ward 21; Michael Griffin, Ward 10; Joseph P. B. Henshaw, Ward 11; Alexander C. Fisher, Ward 20; Edward J. Kendrick, Ward 20; John Leary, Ward 2; Theodore F. Haviland, Ward 25; Frank L. Whitehead, Ward 20; Hugo Hornig, Ward 22; Willard E. Hopkins, Ward 1.

Thirty-five traverse jurors, Superior Civil Court, Seventh Session, January Sitting, to appear February 12, 1912:

Edward F. Higgins, Ward 5; Michael E. Dever, Ward 1; Dennis F. Reardon, Ward 19; Silas B. Johnson, Ward 1; Herman B. Parkinson, Ward 1; Edward H. McCloskey, Ward 1; Francis L. Green, Ward 1; John Henry Lewis, Jr., Ward 10; Michael S. Morgan, Ward 3; George H. Pratt, Ward 17; William C. Fisher, Ward 14; Michael Griffin, Ward 19; Charles H. Spear, Ward 24; Charles L. Bartlett, Ward 24; Walter J. Kean, Ward 16; Clarence H. Gilman, Ward 23; Louis A. Calligan, Ward 20; Bernard C. Pratt, Ward 20; Charles P. Tucker, Ward 15; Edwin J. Keyes, Ward 14; Bennie H. Bicknell, Ward 25; Morris Roitman, Ward 8; William H. Jackson, Ward 14; Charles A. Pastene, Ward 20; Thomas Young, Ward 14; Wallace N. Greenwood, Ward 1; Cornelius J. Crowley, Ward 24; John McCormack, Ward 10; Charles W. Newell, Ward 12; Thomas Murray, Ward 4; William F. McBrine, Ward 13; Maurice C. Long, Ward 12: John T. Brown, Ward 15; George Soul, Ward 14; John J. Moriarty, Ward 18.

CLERK HIRE.

W. T. A. Fitzgerald, Register of Deeds, submitted the pay roll in accordance with the provisions of chapter 22, section 33, of the Revised Laws, stating that people had been hired and work done from December 18 to January 22 to the amount of $3,870.35.

Approved by the Council.

MINORS' LICENSES.

President COLLINS submitted reports on petitions for minors' licenses for ninety-four newsboys, eight bootblacks and two vendors—recommending that licenses be granted.

Reports severally accepted; licenses granted on the usual conditions.

COUNTY OFFICERS' BONDS.

(Acting as County Commissioners.)

President COLLINS offered an order—That the several officers of the County of Suffolk required by law to give a bond to the county, are hereby authorized to deliver in each case a bond satisfactory to the Mayor with an incorporated surety company as surety, and the amount paid as premium for the surety upon any bond aforesaid, not exceeding ½ of 1 per cent of the penal sum named therein shall be allowed and paid as an expense of the County of Suffolk.

Referred to the Executive Committee.

EXPENSE OF 1909 PICTURE.

Coun. McDONALD offered an order—That the expense attending the reproduction of the composite picture of the Mayor and Board of Aldermen of 1909 be charged to the appropriation for City Council, Incidental Expenses.

Passed.

NEXT MEETING.

Coun. KENNY—Mr. President, I move that we adjourn for one week. I understand that there is to be a hearing at four o'clock that will take considerable time. We can come back next Monday with the results of our hearings.

The motion was carried.

Adjourned at 3.57 o'clock p. m., to meet on Monday, January 29, at three o'clock p. m.

Monday, January 22, 1912.

Special meeting of the City Council, held in the Council Chamber, City Hall, at 5.15 o'clock p. m., for the purpose of drawing jurors. President COLLINS in the chair. Absent, Coun. Curley and Hale.

Jurors were drawn, the Mayor present, viz.:

Two grand jurors, Superior Criminal Court, to appear February 5, 1912:

Harry Barker, Ward 2; Lawrence F. Stockinger, Ward 22.

Forty-one traverse jurors, Superior Criminal Court, First Session, to appear February 7, 1912:

George W. Merrill, Ward 10; James W. Savage, Ward 21; Lewis A. Dowd, Ward 24; George A. Murphy, Ward 20; William A. Wilcox, Ward 25; James G. Comerford, Ward 14; Charles E. Butler, Ward 23; Charles J. McCarty, Ward 24; Amory A. Lawrence, Ward 11; Harry C. Rogers, Ward 12; John B. Grant, Ward 7; John Kitson, Ward 21; Henry S. Doane, Ward 21; Frank G. Crowley, Ward 1; Richard Lombard, Jr., Ward 14; Earle W. Masters, Ward 22; James T. Donohue, Ward 4; Joseph H. Obermark, Ward 13; Gerald J. Savage, Ward 22; Alfred Seagren, Ward 19; James Galway, Ward 23; Louis R. Cormier, Ward 5; Frederick R. Land, Ward 16; Samuel W. Robinson, Ward 21; Albert M. Kanrich, Ward 23; John P. Crowley, Ward 14; Timothy J. Leary, Ward 15; Noah Curtis, Ward 20; John J. Healey, Ward 13; Frank J. Lee, Ward 20; Bernard Feneno, Ward 19; Moody H. Bedel, Ward 7; Charles A. Neill, Ward 24; Jeremiah Bonvie, Ward 24; James E. Doyle, Ward 11; Hugh E. Sloan, Ward 1; Charles E. Kingsley, Ward 18; Warren E. Walker, Ward 21; Daniel P. Shedd, Ward 20; John A. Gallagher, Ward 25; Pecci Brunet, Ward 23.

Forty-one traverse jurors, Superior Criminal Court, Second Session, to appear February 7, 1912:

Edward E. Brewster, Ward 22; Edward F. Harney, Ward 2; James C. O'Leary, Ward 10; Ambrose T. Waul, Ward 22; George W. Harvey, Ward 23; Arthur P. Hawes, Ward 20; Joseph W. Hearn, Ward 11; Charles A. Stetson, Ward 24; Artar Gordon, Ward 17; Frank E. Alden, Ward 24; John C. Crossen, Ward 19; George T. Richardson, Ward 22; John B. Whittaker, Ward 20; Jacob Scheffreen, Ward 20; Joseph E. Finn, Ward 21; Leonard J. Berlo, Ward 16; Thomas A. Ashley, Ward 25; George Feather, Ward 24; Frederick O. F. Gay, Ward 19; Daniel E. McCarthy, Ward 8; William J. Deery, Ward 12; Charles W. Abbott, Ward 8; John H. Dalton, Ward 1; Edward P. Dudley, Ward 24; Arthur Wright, Ward 16; Dennis J. Manning, Ward 16; William W. Frey, Ward 17; James McPherson, Ward 20; William S. Wilson, Ward 18; William E. Richards, Ward 24; Frank W. Thurston, Ward 20; Francis J. H. Jones, Ward 12; Hyman Rogers, Ward 6; Henry Vaas, Ward 24; Michael J. Keough, Ward 17; Thomas F. McGrath, Ward 14; Edward F. O'Brien, Ward 3; William N. Horne, Ward 10; Thomas F. Splain, Ward 14; Andrew M. Crowell, Ward 24; Felix J. McMorrow, Ward 19.

Adjourned.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 29, 1912.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at three o'clock p. m., President COLLINS in the chair. Absent—Coun. Curley.

The Council voted, on motion of Coun. ATTRIDGE, to dispense with the reading of the records of the last meeting.

READJUSTMENT OF WATER RATES.

The following was received:

City of Boston,
Office of the Mayor, January 27, 1912.

To the City Council:

I beg to transmit a communication from the Commissioner of Public Works, who was requested by your honorable body at its meeting of January 11, 1912, to consider the advisability of a readjustment of water rates to consumers of a less quantity than 40,000 cubic feet.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Public Works Department,
January 25, 1912.

To the Honorable the Mayor:

In accordance with the attached order of the City Council, I would respectfully request that this matter of the readjustment of water meter rates be held in abeyance for the present year, which will give us sufficient time to study the data that will be available in East Boston. This division, as you know, comprises representative consumption of all kinds, and has been completely metered, our object in metering this section being to enable us to secure data to make an intelligent study of the whole question of meter rates.

Respectfully,
L. K. ROURKE,
Commissioner of Public Works.

Placed on file.

BUILDING LIMITS, HYDE PARK.

The following was received:

City of Boston,
Office of the Mayor, January 26, 1912.

To the City Council:

I inclose herewith a communication from the Building Commissioner, accompanied by an opinion from the Corporation Counsel, on the subject of the building limits in the town of Hyde Park. In accordance with the suggestion of the Building Commissioner I respectfully request your honorable body to establish building limits in Ward 26, as you are empowered to do by section 9 of chapter 550 of the Acts of 1907.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Building Department, January 24, 1912.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,— The town of Hyde Park in its by-laws designated a certain area within the town in which buildings of a certain construction only would be allowed.

A copy of the opinion of the Corporation Counsel in reference to this restricted area is inclosed and at his suggestion I submit to you the propriety of calling the attention of the City Council to his opinion with a request that they establish a building limit in Ward 26, as they are empowered to do by section 9, chapter 550, Acts of 1907, such limits to be coincident with the limits established by the town of Hyde Park or in extension thereof as in their judgment seems best.

Yours respectfully,
ARTHUR G. EVERETT,
Building Commissioner.

—

City of Boston,
Building Department, January 23, 1912.

Arthur G. Everett, Esq.,
Building Commissioner:

Dear Sir,—Yours of January 22, inclosing copy of by-laws of Hyde Park, was received.

Section 15 and the following sections were undoubtedly passed under the authority of sections 1 and 2 of chapter 104 of the Revised Laws. The annexation act of 1911 is silent on this subject. Section 1 says the territory and its inhabitants after annexation shall be subject to the same municipal regulations, obligations and liabilities in all respects as the City of Boston, with some exceptions which are immaterial to this inquiry. Section 3 provides that the City of Boston shall succeed to all the privileges and immunities of the town of Hyde Park. The right to pass this building regulation was one of the privileges that the town had.

On the whole I am rather of the opinion that if the Supreme Court had to pass upon the matter it would decide that all Hyde Park was outside of the building limits, yet this construction is quite doubtful and I think your giving permits to put up wooden buildings inside of the limits defined by section 15 would be against public policy and the interests of the people who live in that section and had had to put up brick, stone or iron buildings in it. This being so, I would advise you to decline to issue a permit for a wooden building in this territory and to have the City Council, when it amends the building limits, include within them this territory in Hyde Park.

This subject should be brought by you to the attention of the City Council as soon as possible so that all doubt may be removed by having action taken on it by that body.

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

Referred to the Committee on Ordinances.

TRANSFER FOR COUNTY JAIL.

The following was received:

City of Boston,
Office of the Mayor, January 29, 1912.

To the City Council:

I am informed by the Sheriff of Suffolk County that the furniture in the apartments in the jail which he is to occupy has been removed. This furniture was the property of the late Sheriff Seavey and it now becomes necessary for the county to replace it in order that the apartments may be habitable.

I recommend, therefore, the passage of the accompanying order, transferring the sum of $1,500 from the appropriation for Reserve Fund to a special appropriation for jail furnishings, to be expended under the direction of the Sheriff of Suffolk County.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Ordered, That under the provisions of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of one thousand five hundred dollars from the appropriation for Reserve Fund to a special appropriation, to be expended under the direction of the Sheriff of Suffolk County, for County of Suffolk, Jail Furnishings.

Referred to the Executive Committee.

MORTUARY BUILDING, CITY HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, January 29, 1912.

To the City Council:

I transmit herewith a communication from the Medical Examiner for the Southern District of

Suffolk County, accompanied hy a letter from Mr. Edward P. Dana, architect for the proposed mortuary huilding at the City Hospital. Mr. Dana states that the lowest hid which he was ahle to ohtain for the mortuary huilding was ahout $8,000 ahove the appropriation, and Doctor Leary recommends that hecause of certain modifications in the plan the sum of $9,000 additional he appropriated.

I respectfully suhmit the facts in the case for such action as you may deem proper.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

Boston, January 25, 1912.

John F. Fitzgerald,
Mayor of Boston:

Your Honor,—I inclose with this letter from Mr. Edward P. Dana, architect for the proposed mortuary huilding at the Boston City Hospital and commenting upon the hids offered the trustees of the Boston City Hospital for the construction of said huilding.

Mr. Dana's letter is self explanatory and indicates that there is need for an additional sum hefore the huilding can he constructed. Making full allowance for the possihle errors and hasing the amount on the lowest hid plus the additions indicated hy Mr. Dana, it appears hut $9,000 additional will he necessary.

In a previous communication from me to your Honor there was indicated the needs for such a huilding and the District Attorney of Suffolk County stated also his opinion of the necessity of the addition called for.

A consultation with the District Attorney's office or with the authorities for the defence in the Richeson case I am sure will demonstrate to your Honor the important hearings which the completeness of the medical case against Richeson and the exhihits had upon the final disposition of this case; which disposition in the judgment of the authorities saved the County of Suffolk the sum of $50,000.

I helieve that the additional sum required is necessary for the carrying out of this work and therefore request that the sum of $9,000 additional he appropriated for the purpose of constructing a mortuary huilding for the joint use of the Boston City Hospital and the Medical Examiner's Department of Suffolk County.

Yours very sincerely,
TIMOTHY LEARY,
Medical Examiner Suffolk County.

—

Boston, January 11, 1912.

Timothy Leary, M. D.,
Medical Examiner:

Dear Sir,— In reply to your request for information regarding the preliminary estimates for the addition to the mortuary huilding, City Hospital, and the discrepancy hetween these and the final hids, I have to say that on Novemher 27, last, I reported to the trustees that I had ohtained estimates from the W. L. Morrison Company, which, with incidental expenses chargeahle to the appropriation added, hrought the cost of the proposed work to $33,573.75.

I was then requested hy the trustees to ohtain estimates from two other contractors, and I consulted with John F. Griffin Company and McGahey & O'Connor.

The John F. Griffin Company suhmitted an estimate of $25,000 which, with the cost of the refrigerating plant, architect's commission and incidentals added, amounted to $31,725.

McGahey & O'Connor suhmitted an estimate of $21,200 which, with the additional items as with the Griffin figures, amounted to $27,725.

These figures I suhmitted to the trustees after checking them hy the square foot cost of the original huilding which totaled $24,975.

Under these circumstances I felt that McGahey & O'Connor's figures were conservative and so advised the trustees, who then authorized me to prepare the working plans and specifications for general hidding.

The Carroll Construction Company are the lowest bidders, their figure heing $28,108 for the mason, carpenter, plumhing and heating work; there remains to he cared for, the refrigerating plant, electric work, architect's commission, clerk of works and miscellaneous charges such as advertising, printing, etc.

I tahulate it helow:

Carroll Construction Company, general contract	$28,108 00
Refrigerating plant (York Refrigerating Company)	4,500 00
Electric wiring and fixtures	900 00
	$33,508 00
Architect's commission, 5 per cent.	1,675 40
Clerk of works, twenty-four weeks, advertising, printing, etc	750 00
Total	$35,933 40
Appropriation	28,000 00
Deficit	$7,933 40

The reasons for the excess cost over the appropriation, so far as I could learn from conversation with contractors, seem to he:

Insufficient appropriation for the amount of work called for.

The prohahle inclemency of the weather during which the hulk of the work will have to he done, causing loss of time and delay in the prosecution of the work.

The temporary partitions and protection of the work necessary to prevent interference with the use of the huilding hy the hospital and the Medical Examiner, which would not he required in new work.

That the plans and specifications were very carefully drawn is demonstrated hy the closeness of the hids, there heing an extreme difference hetween the eight low bidders of hut $4,523.

Provision was made in the specifications for using all the availahle old material from the walls removed, and such new work as was planned was of necessity in close conformity with that in the existing huildings of the group.

As hoth construction and design of the new work is so ahsolutely controlled hy the old, there seems no possihility of changing the plans to make any appreciahle saving.

Respectfully yours,
EDWARD P. DANA, Architect.

P. S. In addition to the ahove, I would say that the plans from which contractors make their preliminary estimate are necessarily vague, showing only in a general way the details of construction which enter into the cost of a huilding, and therefore a contractor will overlook at times items which might materially affect the cost, as undouhtedly did McGahey & O'Connor.

E. P. D.

Referred to the Executive Committee.

RELEASE OF RESTRICTIONS, SOUTH STREET.

The following was received:

City of Boston,
Office of the Mayor, January 22, 1912.

To the City Council:

I transmit herewith a communication from the chairman of the Board of Park Commissioners, under date of January 19, together with an order permitting the release of certain restrictions on apartment houses at the corner of South street and Arhorway. The present restrictions permit the erection of houses costing not less than $4,000 per suite. This is modified so as to permit the erection on the Arhorway of houses costing $3,500 per suite. Store privileges are also granted on the South street side of the property, and the present sethack is altered so that the owner of the property can huild 8 feet from the line of the street. In return for these concessions the owner grants to the city the fee of a strip of land 7 feet wide on the Arhorway side, containing in all over 1,500 square feet of property. A widening of the street at this point is regarded as urgently necessary and the transaction herein outlined hy the Park Commissioners would accomplish this result, with fairly equivalent henefits to the city and the ahutting property owners.

Appended hereto is a letter from Patrick J. Brady, containing his offer to the Park Commissioners, and a copy of the restrictions of Mr. Brady's land.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Board of Commissioners of the
Department of Parks,
Jamaica Plain, Mass., January 19, 1912.

Hon. John F. Fitzgerald,
Mayor of Boston:

Dear Sir—We herewith transmit an offer from Patrick J. Brady to give a strip of land 7 feet in width to widen the Arborway adjoining his estate, provided the city will construct the road to the new line with edgestone and modify the restrictions on his land so as to permit him to build 8 feet from the new line, to build a two-family house costing $7,000, and to use the South street front for mercantile purposes.

The Board is informed by the Law Department that action by the City Council is necessary to enable the Board to accept this agreement, which we believe is for the city's interest, and we, therefore, request that you lay the same before the City Council for such action as may be required.

A copy of the restrictions on Mr. Brady's land is hereith inclosed.

Yours respectfully,
ROBERT S. PEABODY, Chairman.

—

Forest Hills, Mass., October 11, 1911.

Board of Park Commissioners,
City of Boston:

Gentlemen,— I am forwarding you a rough plan for the improvement on the Arborway, between Washington and South streets.

At the time the Boston Elevated Railroad first laid their tracks on the Arborway I did not hear or know anything about it until all privileges were granted to them. I had no chance to protest against it. The great detriment it is to my property is there is no room for a carriage or a team to stand in front of my place when the cars are passing, and the noise that the cars make under the arch is so loud that you cannot even hear yourself talking. The cars run ten-minute time the biggest part of the day, and all the heavy teaming passes by that way between Washington and South streets, coal teams, stone, lumber and all heavy express teams, making a steady traffic all day and night. There is not another public way in Boston where there is more traffic in twenty-four hours than on the Arborway, between Washington and South streets.

On account of not receiving any concession at that time, I now ask for the same. I shall give a strip of land, 7 feet in width, the length of the Arborway, to widen it, so it will be passable, and so that I will be able to build some houses on the vacant land, if in return your Honorable Board will grant to me certain privileges. 1. To put in an edgestone on the side I give the land, and make the street. 2. To modify the restrictions so that I can build a two-family house, costing $7,000, and store privileges on South street for mercantile purposes only. 3. To grant me the right to build 8 feet of the line of the Arborway, and I will have the street and place looking nice, making an increase in the land value, instead of decreasing it. The assessors had to reduce it some years past on account of the cars.

Yours respectfully,
PATRICK J. BRADY.

—

Ordered, That the Board of Park Commissioners, with the approval of the Mayor, and by an instrument or instruments satisfactory to the Law Department, may, in the name and behalf of the city, alter and amend the restrictions contained in deeds heretofore given to the city by Samuel Bradstreet and Augustus B. Bradstreet of lots on the easterly side of South street, bordering on the Arborway, so as to permit the erection or placing upon said land of apartment houses costing not less than $3,000 per story for every 25 feet or less of frontage, and at the same rate for any greater width, with store privileges on the South street side.

(Annexed was a copy of land restrictions.)

Referred to the Committee on Public Lands.

COMMUNICATION CONCERNING INJURY.

The following was received:

City of Boston,
Office of the Mayor, January 27, 1912.

To the City Council:

I transmit herewith a communication from the late Fire Commissioner which sets forth the facts in regard to injuries received by Miss Anna Robertson as the result of the sudden swerving of a Fire Department automobile as she was proceeding to her home on Massachusetts avenue. Accompanying this letter is a statement from Miss Robertson's attorney, Joseph W. Bartlett, Esq., and a report of her case taken from the records at the City Hospital.

It appears that Miss Robertson has suffered a cruel and perhaps an irreparable injury. She was in the hospital for twenty-three weeks and two days, underwent several severe operations, and is to-day, a year and four months after the accident, unable to take a single step without pain. She is a young lady of exemplary character and was at the time of her accident filling a lucrative position. She has sustained a loss of wages amounting to at least $1,700 and has been obliged to pay a bill of over $500 for treatment at the City Hospital.

It is one of those cases that appeal not only to the sympathies but to the sense of justice of public officials, and I earnestly indorse the recommendation of the late Fire Commissioner that after proper investigation the City Council award her a liberal compensation for the injuries which she has sustained.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Headquarters Fire Department,
December 1, 1911.

To the Honorable Mayor and City Council:

Gentlemen,—I have the honor to bring to your attention the case of Miss Anna Robertson.

Miss Robertson was severely injured by the Fire Commissioner's automobile on September 21, 1910. The machine was proceeding from fire headquarters to the residence of the Fire Commissioner in Brighton to take him to a two-alarm fire. While rounding the S-curve on Massachusetts avenue it skidded, went up on the sidewalk and struck Miss Robertson, injuring her severely.

Miss Robertson was in the hospital for a long period of time. In my opinion she has suffered, through no fault of her own, very serious injuries which the city should properly indemnify in order that justice may be done. I have understood until recently that Miss Robertson preferred to obtain a judgment in court and take up the matter of settlement after that judgment had been obtained. After consultation with her, in order to avoid unnecessary delay of the law and to expedite justice, I recommend that the city government settle this case at once for a suitable amount.

Miss Robertson has brought suit against the Fire Commissioner and the driver of the machine to the extent of $10,000. She not only suffered physical and mental injury, but she has also been deprived of her savings and subjected to considerable hardship due to delay; therefore it seems proper to me that this case should be settled for a material sum of money, the amount to be decided after investigation by the various authorities whose approval is required.

Very respectfully,
CHARLES D. DALY, Commissioner.

(Annexed was letter from Joseph W. Bartlett in behalf of Miss Robertson and accident report from Boston City Hospital concerning her case.)

Referred to the Committee on Claims.

RESOLUTIONS CONCERNING CARDINAL O'CONNELL.

Coun. BALLANTYNE offered an order—That a committee of three be appointed by the Chair to draft suitable resolutions in recognition of the honor that has come to Boston through the elevation of his Eminence Cardinal William H. O'Connell.

Passed.

The President appointed as said committee Coun. Ballantyne, Attridge and Buckley.

STATEMENT CONCERNING REMOVAL OF FIRE COMMISSIONER DALY.

The following was received:

City of Boston,
Office of the Mayor, January 26, 1912.

John T. Priest, Esq.,
City Clerk:

Sir,— Under the provisions of section 14 of chapter 486 of the Acts of 1909 I hereby file with

you a written statement setting forth in detail the specific reasons for the removal from office of Fire Commissioner Charles D. Daly.

Respectfully,
JOHN F. FITZGERALD, Mayor.

City of Boston,
Office of the Mayor, January 26, 1912.

Charles D. Daly, Esq.,
Fire Commissioner:

Sir,—You are hereby removed from the office of Fire Commissioner of the City of Boston for the following specific reasons:

First. For your failure to approve of chapter 738 of the Acts of 1911, being an act to authorize the City of Boston to pay a sum of money annually to John J. Carney, a copy of which act is herewith inclosed, said act having been accepted by the City Council of the City of Boston and approved by the Mayor.

Second. For your failure to make appointments to the fire-fighting force of your department of persons in accordance with their rating as certified to you by the Civil Service Commission of the Commonwealth, said persons being qualified educationally, mentally and physically, and having precedence on the list of those from among whom appointments were made by you and sent to the Mayor for approval.

Third. For your failure to cooperate with the Fire Prevention Commission, in accordance with the instructions of the Mayor, for the purpose of bringing about needed reforms in the Fire Department.

Respectfully,
JOHN F. FITZGERALD, Mayor.

(Chapter 738.)

An Act to Authorize the City of Boston to Pay a Sum of Money Annually to John J. Carney.

Be it enacted, etc., as follows:

Section 1. The city of Boston is hereby authorized to pay John J. Carney of that city, a former member of the fire department of the city, an annual pension equal to one-half of the compensation which he was receiving from the fire department at the time of his retirement, the said Carney having been retired on account of illness contracted while in the discharge of his duty as a member of the said department.

Sect. 2. This act shall take effect upon its acceptance by the city council of the city of Boston, with the approval of the mayor and fire commissioner. (Approved July 19, 1911.)

Acts of 1911.

Placed on file.

APPOINTMENT OF COMMISSIONER JOHN H. DUNN.

The following was received:

City of Boston,
Office of the Mayor, January 26, 1912.

John T. Priest, Esq.,
City Clerk:

Sir,—Fire Commissioner Charles D. Daly having been removed from office, I have designated Street Commissioner John H. Dunn to discharge the duties of Fire Commissioner until such time as the office is filled by a permanent appointee.

Yours respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

NOTICE OF APPOINTMENTS.

The following was received:

City of Boston,
Office of the Mayor, January 26, 1912.

John T. Priest, Esq.,
City Clerk:

Dear Sir,— I hereby notify you that the following appointments heretofore duly certified to you are for the terms provided in chapter 486 of the Acts of 1909, and that the appointees named are to hold office until the dates specified in the inclosed list unless removed by the Mayor in accordance with the provisions of section 14 of chapter 486 of the Acts of 1909:

John E. Potts, Consumptives' Hospital Trustee, April 30, 1912.

Melancthon W. Burlen, Election Commissioner, March 31, 1915.

William F. Kenney, Library Trustee, April 30, 1916.

Dr. Samuel H. Durgin, Health Commissioner, April 30, 1914.

Robert S. Peabody, Park Commissioner, April 30, 1914.

William M. Murphy, Bath Trustee, April 30, 1916.

John J. Murphy, Assessor, April 30, 1914.

Charles Logue, Schoolhouse Commissioner, May 31, 1914.

James W. Dunphy, Sinking Funds Commissioner, April 30, 1914.

Max E. Wyzanski, Sinking Funds Commissioner, April 30, 1914.

Edward F. McSweeney, Consumptives' Hospital Trustee, April 30, 1916.

Joseph P. Manning, Hospital Trustee, April 30, 1916.

Frederick E. Atteaux, Cemetery Trustee, April 30, 1916.

Arthur Berenson, Infirmary Trustee, April 30, 1916.

Dr. Nathaniel W. Emerson, Infirmary Trustee, April 30, 1916.

P. Robert Greene, Overseer of the Poor, April 30, 1914.

Dr. Miles Martin, Overseer of the Poor, April 30, 1914.

James T. Wetherald, Sinking Funds Commissioner, April 30, 1912.

Franklin P. Daly, Overseer of the Poor, April 30, 1914.

Simon E. Hecht, Overseer of the Poor, April 30, 1914.

Patrick H. Mullowney, Health Commissioner, April 30, 1912.

Alexander Steinert, Art Commissioner, April 30, 1916.

James J. Bacigalupo, Trustee for Children, April 30, 1916.

J. Templeman Coolidge, Jr., Art Commissioner, April 30, 1912.

Alexander C. Chisholm, Bath Trustee, April 30, 1915.

Charles F. Gaynor, Institutions Registrar, April 30, 1914.

Daniel P. Shedd, Music Trustee, April 30, 1916.

John H. Dunn, Street Commissioner, January 4, 1915.

Elizabeth M. Needham, Trustee for Children, April 30, 1914.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

NOTICE OF APPOINTMENT.

Notice was received of the appointment by the Mayor of Charles H. Cole as Fire Commissioner, a certified copy of the same having been delivered to the Civil Service Commission, January 27, 1912.

Placed on file.

NOTICE OF CONFIRMATION.

Notice was received from the Civil Service Commission of the confirmation of Caroline S. Atherton as Trustee for Children.

Placed on file.

COAL AND COKE LICENSES.

The Secretary of State submitted list of coal and coke licenses granted by the Commonwealth.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named:

Claims.

Michael Murphy, for compensation for injuries received while employed in Public Works Department.

Wellington-Wild Coal Company, to be paid for damage to team by caving-in of a sewer in Merchants row.

Bay State Hardware Company, for compensation for damages caused by a broken pipe at 1321 Washington street.

Walter McNamara, for compensation for injuries caused by fall on defective sidewalk on South street, corner Taft's place, Roslindale.

Grace Lafferty, for compensation for injuries caused by a fall on Massachusetts avenue, near Boylston street, opposite post office substation.

Mrs. Eliza Hahn, to be repaid for expense incurred in repairing roof damaged by skylight blown from engine house at No. 5 Marion street, East Boston.

Executive.

A. S. Morss Company, for permit to sell, rent or lease firearms at 43–45 High street, Ward 7 (street floor).

Rose I. Byrne, for permit for children under fifteen years of age to appear at Copley Hall on afternoon of February 3.

MINORS' LICENSES.

Coun. COLLINS submitted reports on petitions recommending that minors' licenses be granted to 111 newsboys, five bootblacks and seven vendors.

Reports severally accepted; licenses granted on the usual conditions.

CONFIRMATION OF APPOINTMENT.

President COLLINS called up No. 1, unfinished business, viz.:

Action on appointment by the Mayor:

1. Charles H. Hartley (67 Cohasset street, Ward 23), Weigher of Coal for the term ending April 30, 1912.

The question came on confirmation. Committee, Coun. Buckley and Ballantyne. Whole number of ballots cast 7, yeas 7, and the appointment was confirmed.

RESOLUTION FOR WIDENING NORTH BEACON STREET.

Coun. SMITH offered the following:

Resolved, That the City Council of the City of Boston are strongly in favor of House Bill No. 1285 for the widening and repaving of North Beacon street, Ward 25, by the State Highway Commission.

Coun. SMITH—Mr. President, this is a bill which was introduced in the Legislature by a representative from Waltham. It simply provides that North Beacon street be laid out, widened, by the State Highway Commission at their expense. The City of Boston has paid in the last fourteen years one-third of the highway tax of the state without ever having a dollar spent within its borders, because even Washington street, built under the Highway Commission, cost the city more than if we built it ourselves. We have contributed to the state highway fund $2,324,000, without ever having a cent spent in the City of Boston, and this bill provides that North Beacon street be done at the expense of the Highway Commission. I presume all of us know that North Beacon street is simply an extension of Beacon street and Brighton avenue, and the same avenue goes out through Watertown and Waltham, Weston and Lincoln, connecting those different sections. There have been resolutions similar to this passed by the City Council of Waltham, and the matter is to be brought up in boards of the neighboring cities and towns.

The resolution was adopted.

RESOLUTION FAVORING HOUSE BILLS 599 AND 1058.

Coun. SMITH offered the following:

Resolved, That the Boston City Council favor House Bills Nos. 599 and 1058, and urge the Legislature to pass the same.

Coun. SMITH— Mr. President, these two bills provide that the civil service shall be extended to the Treasury and Collecting Departments and to the Penal Institutions. The bills have been recommended by the Finance Commission, and one of them by the Mayor. The Finance Commission has been on record since October 24, 1907, in favor of these measures. The Finance Commission recommended to the Mayor and City Council on October 24, 1907, placing the Collecting Department under the civil service law. On February 27, 1908, they recommended to the Committee on Metropolitan Affairs the extension of the civil service law to the Collecting and Treasury Departments. On December 29, 1909, they recommended to the Mayor and Board of Aldermen the placing of the Penal Institutions Department under the civil service law. On January 21, 1910, they recommended to the General Court the extension of the civil service law to the Collecting, Treasury and Penal Institutions Departments. On January 20, 1911, they repeated that recommendation, and in January, 1912, they repeated the recommendation as to the Collecting and Treasury Departments. So we have continuous, constant recommendation of the measures. The bill regarding the Collecting and Treasury Departments has already been through the hearing stage at the State House, but I think a resolution of this body would be of some weight. The other one is yet to come up, not having yet been assigned for hearing, I believe. But there will be a hearing upon it in the near future, and I feel that this body ought to take action soon on the matter.

On motion of Coun. BUCKLEY it was voted that the resolution be referred to the Executive Committee.

STRIKE OF DOCK LABORERS.

Coun. SMITH offered the following:

Resolved that

Whereas, In the development of the port of Boston it is necessary to have harmony between employers and laborers, and

Whereas, The freighthandlers do now receive as much as similar workmen in other cities.

Whereas, The contention of the strikers is a matter for investigation, namely, that a small gang in Boston do the work which requires a large gang in other cities.

Therefore, The City Council of Boston do urge both parties to submit the question to the State Board of Arbitration.

Referred to the Executive Committee.

RESOLUTION CONCERNING LAWRENCE STRIKE.

Coun. SMITH offered the following:

Whereas, The strike at Lawrence is bringing the labor conditions of this Commonwealth into disgrace throughout the Union; and

Whereas, the mill operatives of the whole state are interested in this question; and

Whereas, The reduction of working hours in other trades has increased efficiency so that no loss of service resulted to the employers: and

Whereas, Under the present cost of living a reduction in wages would bring the standard of life below that desirable for citizens of Massachusetts; and

Whereas, The mill officials involved in the present strike have not shown a willingness to meet the operatives half way;

Resolved, That the City Council of Boston do urge the Lawrence mill officials to maintain the same scale of wages for a nine-hour day as was previously in force, or else to submit the question to their stockholders.

Referred to the Executive Committee.

EXTENSION OF ARLINGTON STREET.

Coun. SMITH offered an order—That the sum of three hundred and seventy-five thousand dollars ($375,000) be and hereby is appropriated to be expended by the Board of Street Commissioners for Arlington Street Extension, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue bonds or certificates of indebtedness of the city to said amount.

The order was declared referred to the Committee on Finance.

Coun. SMITH—Mr. President, I move a reconsideration of the reference. I think that one word on this subject will be sufficient to call it to the attention of the people of this city. I believe that this matter has not been taken up in a thoroughly

business like way by this body. We have not gone into the dollar and cents side of it as we should, and I merely want to ask for a square deal on our part toward this great railroad corporation which is seeking to develop a part of our city. If we are playing politics with this question—which is a great public question, affecting the whole city, it is just as bad as grafting. It is just as bad for the public of this town, if they are delayed in a great public improvement, and more so than it is for us, to steal petty sums from this city. In December, 1909, the first hearing before the Street Commissioners on the Arlington street extension took place. Nothing has been done yet. In March, 1911, the Finance Commission was asked by the Council to report on this subject. No report has been made yet. The facts are very simple and have been well presented. The Chamber of Commerce, the Real Estate Exchange, the Metropolitan Improvement Commission, have all passed upon the matter favorably one or more times. Why cannot we wipe out this tract which has been a disgrace to our city for fourteen years? I think the reason is very plain. It is because certain interests in this city believe they can squeeze more money out of the railroad. Let us treat them squarely, in just the same way that we do other citizens. The most that the city can charge for betterments on any street improvement is 50 per cent. In the case of Columbia road only 10 per cent was charged by the city, and 20 per cent of that amount has been rebated to the abutters. It is seldom that the city gets from any such improvement 50 per cent. In the Arlington street extension the railroad has voluntarily offered to pay more than 50 per cent —more than we can legally ask any citizen or group of citizens in the city to pay. The total cost of the Arlington street extension, according to the Street Commissioners, is $614,000, of which not more than $307,000 could be charged to the abutters. The railroad has promised $250,000, which is equal to $2.77 betterment per foot upon every foot of their land, be it front land or back land. All the abutters on Boylston street are asked to pay is $57,000. This falls on 29,200 square feet of land and amounts to only $1.95 betterment per foot of land. In other words, the railroad company has offered to pay a betterment which amounts to $2.77 of their land, be it front or back land, while the abutters on Boylston street pay only $1.95 per foot. This does not charge anything against any land except the land on Boylston street and the Park square land—and there is a direct betterment to the land all through that community. It would be a direct betterment to the land on Columbus avenue for several blocks. There is certainly a betterment to other land around the Park square lot, yet the Boston Consolidated Gas Company is not asked to pay a cent upon its gas meter, which is on the corner of Ferdinand street and Columbus avenue; and none of the owners on the side street adjoining are asked to pay a cent. I simply ask that we be fair as a Council to this great railroad corporation, just as fair as we are to the citizens of this town. When they volunteer to pay more than half the betterment charge, and we cannot legally force them to pay more than half, I think they are meeting us fairly and squarely. They are meeting us more than half way, doing more than we can ask the citizens of this town to do on similar betterments. I sincerely hope this matter will be taken up not in a spirit of personal animosity or politics, but simply as a great improvement of this city which is worthy to be considered on the dollar and cent side.

Coun. HALE—Mr. President, of course I shall vote in favor of the motion to reconsider for the reasons given by me at my last meeting. I have no intention to repeat them here.

President COLLINS—The Chair respectfully calls to the attention of the Council the fact that if reconsideration prevails and a reading were given to this order to-day, the second reading, under the charter, could not take place until at least fourteen days had elapsed. That will bring us into the new city government, and there will be a serious question on the part of anybody proposing to purchase the bonds as to the validity of the same. The only ground on which the bonds would be purchased is that this is a continuing form of government. I simply offer that suggestion to the Council for consideration.

Coun. SMITH—Mr. President, I appreciate the fact that there is a legal technicality here that would have to be straightened out first. The Corporation Counsel tells me that to a certain extent we are a continuing body, like the United States Senate, two-thirds of our number being constantly the same. I think the matter is important enough to warrant our consideration at this time, and I also think it is important enough to decide the technical question of legality, taking it up at the present moment.

Reconsideration of the reference was refused by a rising vote, 2 to 4.

CANCELLATION OF ACCOUNTS.

The following was received:

City of Boston,
Office of the Mayor, January 29, 1912.

To the City Council:

I transmit herewith a communication from the City Collector, requesting authority to cancel certain outstanding accounts for the period from February 1, 1895, to January 31, 1906, inclusive, and recommend that this authority be granted.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Collecting Department, January 29, 1912.

To the Honorable City Council:

I inclose herewith a schedule of outstanding accounts payable on account of board and treatment of patients at the Boston Insane Hospital and kindred institutions for care of the insane, for the period from February 1, 1895, to January 31, 1906, inclusive, amounting to $31,295.08.

These accounts are uncollectible and, as the Insane Hospital Department has been abolished, I respectfully ask the authority of the City Council to cancel the same.

Respectfully submitted,
BOWDOIN S. PARKER, City Collector.

(Annexed to the communication was a table giving the different amounts outstanding in the different institutions, making a grand total of $31,295.08.)

—

Ordered, That the City Collector be hereby authorized to cancel the balances standing upon the books of his department for money due on outstanding accounts payable for board and treatment of patients at the Boston Insane Hospital and kindred institutions for care of the insane for the period from February 1, 1895, to January 31, 1906, inclusive, amounting to thirty-one thousand two hundred ninety-five dollars and eight cents ($31,295.08), as specified in his account thereof, herewith transmitted to the City Council and the collector and the sureties on his bonds are hereby relieved from all liability for the collection of such money.

Referred to the Executive Committee.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Report on ordinance (referred January 20) relative to use of firearms — recommending the passage of the following:

City of Boston.
In the Year Nineteen Hundred and Eleven.
An Ordinance.

Be it ordained by the City Council of Boston, as follows:

Section ninety-four of chapter forty-seven of the Revised Ordinances of 1898 is hereby amended by adding at the end thereof the following words: Provided, however, that this prohibition shall not apply to persons engaged in trap or target shooting on the grounds of a gun club licensed to be used for said purposes by the City Council.

Report accepted; said ordinance passed.

(2) Report on petition of C. S. Day & Co. *et al.* (referred December 18) for reduction of rent of cellars in new Faneuil Hall market — recommending reference of same to the Superintendent of Markets.

Report accepted; said reference ordered.

(3) Report on message of Mayor and communication (referred December 29) relative to Dalton street footbridge — that the same be placed on file.

Report accepted; message and communication placed on file.

ORDINANCES.

Coun. McDONALD, for the Committee on Ordinances, submitted a report on ordinance (referred December 18) relative to receptacles for keeping of garbage—that the same ought not to pass.

The question came on the acceptance of the report and rejection of the ordinance.

Coun. SMITH—Mr. President, I think that one or two words in explanation of this ordinance are necessary, in case the Council has not got the situation definitely in mind. The ordinance is intended simply to take care of the covering of refuse and garbage. It also provides that the same shall be kept in metallic barrels. The latter is not important. The first a large number of people in this town consider extremely important. The unsanitary condition of our streets, especially in the crowded districts, is vital. It is due partly to the uncovered condition of the refuse barrels, which are heaped up to overflowing. It cannot be said that the Board of Health can take care of that situation, because in committee Mr. Jordan of the Board of Health told us emphatically that the Board of Health had nothing to do with refuse or garbage after it left the house. When it goes into the street they have nothing to do with it. There is no ordinance of this city regarding the covering of that refuse and garbage, and if we pass this ordinance it will give the police and the Street Commissioners power to correct these evils. The Board of Health has no power at the present time. I have presented to this Board a petition from the North End alone of about 150 odd names, made up of property owners, men of importance in that section, who desire this evil cured. We have also heard that the committee from the Municipal League represent another section of the town in connection with this matter, and I feel certain that if the people of the town were given a public hearing we would hear from every section a demand that refuse and garbage be covered, that the streets be not littered up and made foul by this mess. It is a perfectly practical suggestion, it is something that is not covered by the present ordinances, and I hope that the recommendation of the committee will not prevail.

Coun. McDONALD—Mr. President, the committee reported "ought not to pass" on the ordinance as presented principally because of the fact that the amending ordinance as presented was illegal. They had other petitions before them and they had two hearings, and Mr. Jordan of the Board of Health was before the committee. He said that the Board of Health was considering making regulations covering this same thing, that they were going to compel property owners to put their garbage, refuse and other matters in metallic receptacles and cover them. As they were considering the matter and as the committee did not have anything before it that it could consider, this amendment as presented by Coun. Smith being illegally drawn, the committee reported "ought not to pass."

Coun. SMITH—Mr. President, that is an absolutely mistaken statement of the facts. Coun. McDonald, I presume, knew that the first ordinance I put in referred to the wrong ordinance to be amended, but the second ordinance which I put in and which was before the committee was perfectly properly drawn and was turned down by this committee not because of any illegality but on the merits of the question pure and simple, and any evasion of that attitude on the part of the committee is skulking. The committee took squarely the attitude that they were not in favor of asking the people of this town to cover their refuse. I had an ordinance in there which asked for that, and which was amended by the committee to read "garbage and refuse containing garbage," leaving out the refuse. The committee rejected my original ordinance, amended the second to read "garbage or refuse containing garbage," and then even voted to turn that down. There can be no misunderstanding on that point. I don't want the committee to report as though they were reporting on a mere technicality, when they took a square attitude on the proposition itself.

Coun. McDONALD—Mr. President, I am a little bit surprised to see the gentleman on my right take the stand he takes to-day. He sat in the committee when the question came up as to whether this amendment he presented was illegally drawn or not. He agreed with the other members of the committee that it was illegally drawn and he voted that it ought not to pass because of the fact that it was illegally drawn. We then had another amendment that was presented to the committee from the Women's Municipal League, and the committee could not act on that because it had not been presented to the City Council and was not legally before the committee. As far as I am concerned I am ready to take a stand either one way or the other. The committee reported "ought not to pass" because of the fact that the amendment was illegally drawn, and the gentleman on my right agreed that that was so. We agreed that we would so report because of that fact, that the amendment was illegally drawn, understanding also that the Board of Health was trying to have action taken in the matter. Mr. Jordan appeared before the committee and told us that they had several cases in court, that the judge told them he could not find for them because of the fact that they had not made regulations, and he said that his Board were considering regulations covering the points asked for by the Women's Municipal League. If the gentleman says now that that is not the reason that we reported "ought not to pass" he takes a different stand from that taken by him in the committee meeting. We voted as we did in committee because of the fact that it was illegally drawn, and we all understood that it was illegally drawn. I as chairman attempted to have the amendment as presented by the Women's Municipal League put, to see whether we would adopt it or defeat it, and the question was raised that it was not legally before the committee because it had never been presented to the Council for reference. We understood when the report was made that that was the reason we were to make it, because of the fact that the amendment was illegally drawn. The gentleman agreed that it was so and he said that he was going to present some other amendment to-day. So far as skulking was concerned, I don't think one member of the committee was desirous of evading the issue. They were willing to take a stand. Everybody present expressed a position in regard to both ordinances before the committee. To state our position fairly, we were ready to report that the ordinance last presented ought to pass, as far as it referred to garbage or refuse containing garbage, but we were told that it was illegally drawn, drawn in the wrong way. Then we reconsidered our action and reported "ought not to pass" because of that reason and for no other reason. If there are any other amendments to the ordinance that he wants to present, I don't think there is a member of the committee who is not willing to-day or any other day to take a stand one way or the other. But I don't want him to come in here and say that any statement I have made here, that we reported as we have because the proposed amendment was illegally drawn, is incorrect. That was the understanding in committee. I am not going to have him come in here and make any wrong statements as far as other members of the committee or myself are concerned.

Coun. KENNY—Mr. President, I am very much astonished at what the member on my immediate left (Coun. Smith) has stated here this afternoon. My recollection is entirely in accord with what the member from Charlestown (Coun. McDonald) has stated. In fact, my recollection is that the member on my left voted in favor of this report itself, that it should come into this body and the matter be disposed of in this way to-day. I undertook to have the entire matter referred to the next city government and have made that motion in committee, and at that time the member on my left intervened, as he is very apt to do, and said: "Why not dispose of this at the next meeting?" He said: "I think this is illegally drawn," and I think it was improperly drawn. I think he had a perfectly legal right to draw improperly an ordinance if he saw fit to do so, but I think that was a very accurate description of it, "improperly drawn," and I think he so understood and admitted. At any rate, my recollection is that he voted in favor of the report that this should be disposed of by coming back here to-day with the recommendation "ought not to pass."

Coun. SMITH—Mr. President, it seems like a tangled matter, but it is all very simple. The ordinance which I put in originally referred to the wrong section. It was to amend an ordinance already existing, and referred to the wrong ordinance. I am not going to try to sidetrack that; I will take the blame for that, although I did not

actually look the ordinance up. That was referred to the committee, and at my suggestion, finding out the mistake, the report was not handed in to this body. Then, as a member of the committee, I introduced an entirely new, separate, distinct ordinance, which called for all garbage, refuse containing garbage and refuse to be kept in covered metallic receptacles. That ordinance was voted down by the committee. First they amended it so as to cover only garbage and refuse containing garbage. They passed it in that form; then they reconsidered that and killed it, so that they killed it in both forms. They killed it referring to refuse and referring only to garbage. That is a plain statement of fact. If it is a wrong statement of fact I beg to be corrected. Of course, it brings out once again the fact that it is better to do things in open Board instead of committees, because in committees one man gets one impression and another another, as there is no stenographic report to check the thing up. That is a plain statement of facts. When we had a committee meeting the Women's Municipal League came before us, and they suggested a wording for this ordinance, and when they left and the committee went into session I suggested that their wording be added to the ordinance as an amendment. The committee sat there and voted it down. There were only three votes in favor of amending the ordinance as they suggested, and those votes were of Coun. Hale, Coun. Attridge and myself. Then there was some discussion upon the subject; Coun. Hale had to leave, and mine was the only vote in favor of it. If the Council wishes to dodge that statement of the facts it may do so. I stand here and say that those are the facts. There is no ambiguity about this. The ordinance which they have referred to as being illegal was entirely withdrawn and was not before the committee. There was a new ordinance, a new, distinct, separate ordinance, which they voted upon favorably and then changed their action and voted down.

Coun. McDONALD—Mr. President, I want to say just one more word. I have just consulted the Clerk of Committees and he says the proposed amendment was improperly drawn because it did not pertain to the ordinance that the gentleman on my right wanted to amend at all, and did not affect the situation one bit. That is what I thought and what every member of the committee thought. He says that is the situation and that is the reason of the recommendation "ought not to pass." The gentleman can draw a new amendment to-day and have it sent to the committee so that we can act upon it legally and in an intelligent way.

Coun. HALE—Mr. President, as Coun. Smith says, I had to leave at the last meeting of the committee, so that I did not hear all that was said. But, as I understand the proposition, there are two questions, first, whether we want to pass an ordinance covering all garbage and refuse containing garbage, and second, whether we want to pass an ordinance requiring all refuse to be kept in covered receptacles. As far as I went in committee I think the difficulty was that there had not been enough publicity upon the matter, that we ought to find out what more people thought. I think most of us were impressed by what we heard from some people who came from the North End of the city. I think, as Coun. Kenny suggested, that the wisest method would be to refer the whole matter to the next City Council with a request for a public hearing; and I should like to make a motion that this ordinance, together with the other ordinances before the Committee on Ordinances,—if this can be done in a parliamentary manner,—be so referred.

President COLLINS—The Chair would rule that the only ordinance before the Council is the one which has now been reported upon and which is awaiting our action at the present time.

Coun. HALE—Then I would move that this matter before us be referred to the next city government.

Coun. SMITH—Mr. President, I rise to a point of information. I have an ordinance in my hand which would cover the same point, and which I will put in, and I shall ask that that be referred to the next city government.

Coun. HALE—Mr. President, I would like to move that this ordinance which is now before us be referred to the next city government so that we may take no action for or against any ordinance on this subject until after we have had a public hearing. I think probably that would be agreeable to everybody.

Coun. BALLANTYNE—Mr. President, I oppose the motion to refer this ordinance to the next city government, for the reason already stated, that the ordinance is illegally drawn and refers to an ordinance that the gentleman who offered it did not intend to refer to. For that reason I don't think it should be referred to the next city government.

Coun. Hale's motion to refer the ordinance reported upon to the next city government was declared lost.

The report was accepted and the ordinance rejected.

KEEPING OF GARBAGE.

Coun. SMITH offered the following:

City of Boston.

In the Year Nineteen Hundred and Twelve.

An Ordinance to amend chapter 47 of the Ordinances of 1898, as amended by chapter 5 of the Ordinances of 1901, and as further amended by chapter 7 of the Ordinances of 1906.

Be it ordained by the City Council of Boston, as follows:

Section eighteen of chapter forty-seven of the Revised Ordinances of 1898, as amended by chapter five of the Ordinances of 1901, and as further amended by chapter seven of the Ordinances of 1906, is hereby further amended by adding to said section the following:

"No person shall place outside of any building or premises for removal any garbage, refuse or rubbish, unless the same is properly packed in tightly covered metal receptacles."

Referred to the Committees on Ordinances.

DISCHARGE OF FIRE COMMISSIONER.

Coun. SMITH offered an order—That the City Council respectfully request his Honor the Mayor to inform the Council whether he has any more substantial grounds for dismissing the Fire Commissioner than have already been made public.

Referred to the Executive Committee, on motion of Coun. McDONALD.

PLANS, ETC., POWER STATION, DEER ISLAND.

Coun. SMITH offered an order—That his Honor the Mayor be requested to furnish the Council with all plans, figures and specifications that have been compiled with regard to a central power station at Deer Island.

Coun. SMITH—Mr. President, my reason for asking for this is that a proposition has been put up by Superintendent Gore and has been acted upon by the Finance Commission, that then Superintendent Gore had an expert give his opinion in the matter, and I believe there are several papers before the Mayor on this subject. The idea is that the five existing power stations for light and heat at the island be consolidated into one. This will be an economy in the long run and it would have a more direct result. It would release from use several buildings which could then be used for the segregation of drug cases at Deer Island and the segregation of the more violent cases among the prisoners. This is a thing that I believe is to be very strongly recommended. When we had here last summer the conference of prison societies they looked over our penal institutions. Some very scathing comments came out in the Press relating to the fact that we congregated all the prisoners at Deer Island together in one large mass without making any differentiation between the young offenders, first offenders, cases of intoxication pure and simple and long-term hardened offenders. I think if the central power station, which is an economical scheme, goes through it will release several buildings which can then be made over into places where we can segregate several classes of offenders. I know the idea has Superintendent Gore's enthusiastic support, and personally I believe in it strongly. Therefore I have asked the Mayor to give us all the information possible on the subject.

The order was passed.

USE OF "CORMORANT."

Coun. SMITH offered an order—That the Finance Commission be requested to furnish the Council with an engineer's report as to the advisability of using the "Cormorant," now owned by the city, in place of the "Vigilant" for the same work.

Coun. SMITH—Mr. President, my reason for asking this is that the "Vigilant" is, in my humble opinion, entirely unsuited for the work it is doing. I think the accommodations for the men to sleep aboard that boat are absolutely disgraceful to the City of Boston, and that the boat itself, in my humble opinion, is not in good enough condition to stand the weather, especially in the winter. At the same time the city must look with care upon any matter of expense. We have to-day a contract which is going through in regard to the care of refuse which will relieve the City of Boston of all the burden of taking care of its refuse after it gets to the collecting station. Therefore there will be no further use for the boat which the city now owns, namely, the "Cormorant." That boat is now used to tow barges out to sea and dump the refuse. It is a boat larger than the "Vigilant," stronger, in much better condition, and it seems to me it could very well replace the "Vigilant" for the work the "Vigilant" is now doing. This would relieve the city of any additional expense for a new boat and at the same time give a better boat than the one now in use. I hope the Finance Commission in dealing with this matter will deal with it speedily.

The order was passed.

STATUES, ETC., FANEUIL HALL.

Coun. SMITH offered an order—That no statue, bust, picture or other memorial shall be placed in Faneuil Hall until ten years after the death of the person to be commemorated.

President COLLINS—The order will be referred to the Committee on Ordinances.

Coun. SMITH—Mr. President, this is exactly the suggestion which the Art Commission made on this subject. They set a period of ten years. The hall is almost full as it is. It seems to me a thoroughly worthy and commendable suggestion on their part.

President COLLINS—The order still stands referred to the Committee on Ordinances.

RECESS TAKEN.

The Council voted, at 3.59 o'clock p. m., on motion of Coun. KENNY, to take a recess subject to the call of the President.

The members of the Council reassembled in the Council Chamber and were called to order by the President at 5.35 o'clock p. m.

RESOLUTIONS CONCERNING CARDINAL O'CONNELL.

Coun. BALLANTYNE, for the committee appointed earlier in the session, offered the following:

Whereas, A great honor has been paid to this city in elevating one of its citizens, Archbishop William H. O'Connell, to the rank of Cardinal of the Roman Catholic Church;

Resolved, That the Mayor and the City Council, acting on behalf of the people of Boston, convey to the recipient of this distinction their felicitations, and augur for him a prosperous administration, with health, long life and a constant expansion of his already wide influence for good;

That they attest their sense of the dignity of his new office and their satisfaction that the choice has fallen upon one so well equipped by natural gifts, scholastic training and social experience to grace its imposing functions and fulfill its grave responsibilities;

That they express and inscribe herewith in durable form their esteem for his religious ministrations and civic counsel, believing that his influence will always be exercised for the maintenance of higher standards of citizenship.

Adopted unanimously by a rising vote.

CLOSING OF STREETS, JANUARY 31.

Coun. ATTRIDGE offered an order—That the City Messenger rope off such streets as the Police Commissioner may require on Wednesday, January 31, 1912, in connection with the arrival from Europe of his Eminence Cardinal O'Connell and the parade from the steamship terminal to his home, the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses; and that the Police Commissioner be authorized to close to travel by vehicles, except fire, police, hospital and mail wagons, such streets as may be required for said parade.

Passed, yeas 6, nays 0.

ENGROSSMENT OF RESOLUTIONS.

Coun. ATTRIDGE offered an order—That a copy of the resolutions this day adopted by the City Council in honor of Cardinal O'Connell be suitably engrossed and incased, the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

NEXT MEETING.

Coun. BALLANTYNE offered an order—That when the Council adjourns it be to meet on Saturday, February 3, 1912, at twelve o'clock noon.

Passed.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Report on petition of A. S. Morss Company (referred to-day) for permit to sell, rent or lease firearms at 43–45 High street, Ward 7 (street floor)—that a permit be granted.

Report accepted; permit granted on the usual conditions.

(2) Report on petition of Rose I. Byrne (referred to-day) for a permit for children under fifteen years of age to appear at Copley Hall on afternoon of February 3—that a permit be granted.

Report accepted; permit granted under usual conditions.

(3) Report on order (referred January 22) that the several officers of the County of Suffolk required to give a bond to the county are hereby authorized to deliver bond satisfactory to the Mayor with an incorporated surety company as surety, and the amount paid as premium upon any bond aforesaid not exceeding one-half of 1 per cent of the penal sum named therein shall be allowed and paid as an expense of the County of Suffolk—that the order ought to pass.

Report accepted; order passed.

(4) Reports on papers—that the same be placed on file, viz.:

Message and communication (referred May 1) against establishment of a garbage depot at Savin Hill, Dorchester.

Order (referred February 27) for Executive Committee to give hearings on garbage disposal.

Order (referred March 27) to insert certain provisions in garbage contract.

Communication from Boston Disposal Company (referred March 27) requesting public hearing on garbage contract.

Message of Mayor and communication from Public Works Department (referred March 27) returning garbage contract to City Council.

Message of Mayor (referred January 20) relative to ordinance establishing fees for permits.

Message of Mayor (referred 1910) relative to ordinance for fees for permits.

Reports severally accepted; papers placed on file.

(5) Reports on various papers—recommending reference of same to next city government, viz.:

Ordinance (referred January 20) to establish a city planning commission.

Report of Metropolitan Planning Commission (referred December 18) as to suggestions on planning commission.

Message of Mayor and communication (referred August 22) relative to removal of Seaver street wall.

Ordinance (referred January 20) relative to fees for permits for coal holes.

Report and ordinance (referred January 20) establishing fees for permits.

Ordinance (referred January 20) relative to fees for permits.

Order (referred October 30) for loan of $15,000 for playground, Ward 25.

Reports severally accepted; papers referred to the next city government.

(6) Report on message of Mayor and order (referred to-day) for $1,500 for County of Suffolk, Jail Furnishings—that the order ought to pass.

Report accepted; order passed, yeas 6, nays 0.

(7) Report on message of Mayor and communications (referred to-day) for mortuary building at City Hospital—recommending the passage of the following resolution:

Resolved, That in the opinion of the City Council a further amount of money will be necessary for the building of the proposed mortuary building at the City Hospital.

The report was accepted and the resolution adopted.

(8) Report on preambles (referred to-day) relative to the settlement of trouble between freight-handlers and employers—that the order ought not to pass.

The question came on accepting the report and rejecting the resolution.

Coun. SMITH—Mr. President, I introduced this in all good faith simply as a means of helping in the solution of the strike problem. I have learned from two members of the Council since introducing it, and while the matter was under discussion in the committee, that this would be an obnoxious way of settling the strike, as far as the strikers themselves are concerned. As both of the members referred to are in close communication with the strikers I am only too glad to withdraw the suggestion in that form. But it does seem to me that such a strike going on in our city—while there is no violence connected with it and will not be any, because of the nature of the men engaged in it—merits some attention at the hands of this body. It was first taken up by the Mayor, who made efforts toward arbitration between the strikers and their employers. It occurs to me now that the City Council might well offer its services to the two parties in order to help settle the matter in any way possible. It interests vitally a large part of our population and we servants of the people cannot help taking cognizance of the fact. I should like to offer an amendment to the last section, striking out in the last section the words "State Board of Arbitration" and inserting in place thereof the words "City Council for arbitration."

(The section referred to, as amended, would read as follows: "Therefore the City Council of Boston do urge both parties to submit the question to the City Council for arbitration.")

The amendment was rejected by a rising vote, 1 to 4, and the question came on the rejection of the resolutions, as recommended by the committee.

Coun. SMITH—Mr. President, I hope the Council will realize that my only object in this matter is to bring it to a conclusion, to bring the strike to an end satisfactory to both parties. I hold no brief for either party, and I am trying to view the matter in an entirely unprejudiced way. But it is something that interests us, and, the Mayor having failed in his efforts so far, it seems to me that the City Council might well interest itself in the matter. I should welcome any amendment that the Council might suggest.

Coun. McDONALD—Mr. President, I have not talked with any of the officials connected with the strike for the last two or three days, but I know that they are doing everything that they can to adjust their differences with their employers, and I would not want to vote here to do anything that they would not want me to do, as I think they have the situation well in hand. If they think that the City Council would be of service to them through the adoption of any kind of resolutions, or as arbitrator, next Saturday I may introduce a resolution, or ask Coun. Smith to introduce a resolution, along any line in which they may want us to help them in any way. I know that they would not stand for the State Board of Arbitration, because the Mayor suggested that down in his office, and they have come out in the newspapers saying that they would not stand for the State Board of Arbitration adjusting their differences. The steamship agencies say that everything is satisfactory there. If that is so we cannot get them to submit their differences to arbitration. But if the men who are on strike want the City Council to help them in any way, next Saturday I will guarantee to have a committee of the longshoremen up here at our meeting of the Executive Committee, and if we can be of any service I shall be willing to vote for any resolution for which they want us to vote, but I do not propose to-day to vote for these resolutions without knowing whether they want us to vote for them or not.

Coun. BUCKLEY—Mr. President, I agree and we all agree with what Coun. McDonald has said. We all have the interests of the city at heart and want business to go on as it ought to go on. At the same time these men have a real grievance and we ought not to force this on them, even if they want our aid. As Coun. McDonald says, if they will come to us and ask us to pass certain resolutions I shall be glad to do so, but I do not want to vote for resolutions here to-day not knowing whether the longshoremen want them passed or not. They are conducting this strike in a fair, open manner, and there are no acts of which they need be ashamed. We need not be afraid that things will not go on in a peaceable manner, and I don't think we have any right to inject ourselves into this controversy at this particular time and ask them to submit to arbitration, because they have always been willing to submit to arbitration. It is the steamship agents who are not willing to do that. At the same time it seems to me that the matter will come out all right and, as Coun. McDonald says, if they want our aid they will come to us, and if not we ought not to force ourselves upon them.

Coun. SMITH—Mr. President, I am going to vote against these resolutions now, because it has been suggested that the State Board of Arbitration is objectionable to the strikers and that they would not want to see resolutions mentioning the State Board of Arbitration go through. I had hoped that the Council would amend the resolutions in some way that would be satisfactory.

The resolutions were rejected.

(9) Report on preambles (referred to-day) concerning strike at Lawrence — recommending passage in following new draft, viz.:

Whereas, The strike at Lawrence is bringing the labor conditions of this Commonwealth into disgrace throughout the Union, and whereas, the mill operatives of the whole state are interested in this question; and

Whereas, The reduction of working hours in other trades has increased efficiency so that no loss of service resulted to the employers; and

Whereas, Under the present cost of living a reduction in wages would bring the standard of life below that desirable for citizens of Massachusetts; and

Whereas, The mill officials involved in the present strike have not shown a willingness to meet the operatives half way; therefore

Resolved, That the City Council of Boston do urge the Lawrence mill officials to maintain the same scale of wages for a nine-hour day as was previously in force, until they can submit the question to their stockholders.

Coun. SMITH—Mr. President, the hour is late, and I am not going to take up the time of the Council with any discusssion of this subject. I gave my reasons in the committee and I am glad that the Council agree with me. Most of them believe, as I do, that the employers will get just as much labor in fifty-four hours as in fifty-six. I believe that the efficiency will be so much greater that it will more than make up for the loss of time, and that the employers can afford to give the same wage. In that matter I draw my conclusions from a report of the Interstate Commerce Commission, under dates of December 14, 15 and 16, 1911, contained on pages 1158 and 1159.

The report was accepted and the resolutions were adopted.

(10) Report on order (referred to-day) for information concerning dismissal of Fire Commissioner Daly—that the order ought not to pass.

The question came on the acceptance of the report and the rejection of the order.

Coun. SMITH—Mr. President, I did not think there would be any objection to this. It seemed to me that it was not interfering in any way with the employment of labor, with the heads of departments or the administrative work of the city; that it was simply a plain request from one department of the city to another for information. If it does violate the charter I would be the last man to press the matter, but I cannot for the life of me see wherein it does violate the charter, either

section 8 or any other section. If there is some question in the minds of the Council whether it does violate the charter or not, I don't see why it would not be pertinent to refer it to the Corporation Counsel. I am perfectly willing to do that. But all I asked was information from the Mayor of the city, just as we asked for information in regard to the annex to City Hall. We asked him then to submit to us the drawings and plans of the City Hall Annex, but we had no right to enforce such a request, and he paid no attention to it. So in this case, if we pass this order asking for information he might ignore it. I hope the thing will go through; or, if it does not go through to-day, I hope the Council will see fit in its wisdom to submit it to the Corporation Counsel.

The report was accepted and the question came on the rejection of the order.

Coun. SMITH—Mr. President, I would like to move that it be submitted to the Corporation Counsel for a reply at our next Saturday's meeting.

The question came on Coun. Smith's motion to submit the order to the Corporation Counsel for an opinion as to its legality before or at next Saturday's meeting.

Coun. McDONALD—Mr. President, I opposed that in the Executive Committee because I did not think we had a right to interfere with the Executive Department of the city, asking the Mayor to give any reason for either discharging or hiring anybody. I know what the Corporation Counsel would tell us, that we haven't any right to interfere, and what is the use of making ourselves ridiculous in the eyes of the public by asking the Mayor of Boston if he has any further reasons for discharging the late Fire Commissioner. It is none of our business and why should we do it. He gave what we thought was reason enough, and I think we ought to let it go at that. It is none of our business what he discharged him for. He employed him, we didn't employ him; he discharged him, and we haven't any right to ask him why he discharged him. Under the charter he has a perfect right to do it, provided he gives a reason, and he gave what he thought were good reasons. I am not going to vote to send this to the Corporation Counsel because it simply means delaying the matter, and we ought to dispose of it to-day.

Coun. Smith's motion to refer to the Corporation Counsel was lost by a rising vote, 2 to 4. The order upon which the committee reported was rejected by a rising vote, 4 to 2.

GENERAL RECONSIDERATION.

Coun. BALLANTYNE moved a general reconsideration on all business transacted to-day, hoping that the same would not prevail.

Lost.

The Council voted, at 5.55 p. m., on motion of Coun. ATTRIDGE, to adjourn to meet on Saturday, February 3, at 12 m.

CITY OF BOSTON.

Proceedings of City Council.

Saturday, February 3, 1912.

Final meeting of the City Council, held in the Council Chamber, City Hall, at twelve o'clock m., President COLLINS in the chair and all the members present.

The Council voted, on motion of Coun. BALLANTYNE, to dispense with the reading of the records of the last meeting.

BONDS OF COUNTY OFFICERS — VETO.

The following was received:

City of Boston,
Office of the Mayor, February 3, 1912.

To the City Council:

I return herewith without my approval your order, passed January 29, providing that surety companies may be accepted as sureties on the bonds of county officers at the expense of the county. Question has been raised as to just how the expense should be charged in different cases, and as the order is not specific upon this point I am of the opinion that the matter should be taken up and considered by the City Council of 1912–13.

Respectfully,
JOHN F. FITZGERALD, Mayor.

Placed on file.

CENTRAL POWER STATION, DEER ISLAND.

The following was received:

City of Boston,
Office of the Mayor, February 3, 1912.

To the City Council:

In compliance with an order passed by the City Council at its meeting of January 29, 1912, I transmit herewith a statement from the Penal Institutions Commissioner, accompanied by various documents, relating to the proposed central power station at Deer Island.

Respectfully,
JOHN F. FITZGERALD, Mayor.

—

City of Boston,
Penal Institutions Department,
February 3, 1912.

The Mayor of Boston:

Sir,—The order of the City Council of January 29, 1912, that his Honor the Mayor be requested to furnish the Council with all plans, figures and specifications that have been compiled with regard to a Central Power Station at Deer Island is received.

I have the honor to report that there have been no plans or specifications yet made.

I forward herewith a copy of the report from Mr. F. W. Dean, engineer, which goes into detail as to the necessity and expense of the same, and which he furnished me at my request. Also copy of report of Mr. Guy C. Emerson, consulting engineer to the Finance Commission. Also copy of reports of the Boiler Inspection Department of the Commonwealth as to the condition of the boilers. Also copy of communication to your Honor from the Finance Commission on the same subject, and a copy of communication from Mr. Dean in which he comments on the communication from the Finance Commission and its engineer.

Respectfully yours,
FRED S. GORE, Commissioner.

—

Boston, August 25, 1911.

Mr. Fred S. Gore,
Commissioner of Penal Institutions:

Dear Sir,—I have made careful examination of the steam and electrical department of the Deer Island Institution of the City of Boston for the purpose of determining its condition, distribution and economy in fuel and labor, and also for the purpose of stating the economy and cost of a new central plant.

There are several boiler plants at the institution which may be described as follows:

POWER HOUSE BOILER PLANT.

DESIGNATION.	Heating Surface.	Age.
One Campbell & Zell water tube boiler	About 1,500 square feet.	12 years.
One Campbell & Zell water tube boiler	About 1,500 square feet.	12 years.
One 72-inch horizontal return tubular boiler, butt joints	1,500 square feet.	5 years.

At this station two boilers are required at one time in cold weather, but as the mid-wall of the two water tube boilers requires rebuilding from time to time, both of these boilers are sometimes out of service, leaving the tubular boiler only for use. For this reason another tubular boiler should be purchased unless a central plant is built. The tubular boiler is built with butt joints in the longitudinal seams. These boilers are used throughout the year.

THE INSTITUTION BOILERS.

DESIGNATION.	Heating Surface.	Age.
One 60-inch horizontal return tubular boiler, lap joints	1,000 square feet.	27 years.
One 60-inch horizontal return tubular boiler, lap joints	1,000 square feet.	7 years.
One 60-inch horizontal return tubular boiler, lap joints	1,000 square feet.	7 years.

These boilers are used, two at a time, five months per year, beginning usually in the latter part of November. The steam is used for heating and cooking. During the time when the boilers are not used the necessary steam for the Institution Building comes from the main power house through a 3-inch pipe in an underground conduit of small dimensions.

These boilers are located in the basement of the machine shop which is close to and joins the institution men's prison. The building is not fireproof, is not sprinkled, and it subjects the main building to great danger from fire. In addition to this all three of these boilers are unsafe on account of the use of lap joints as noted above. This is true of the newer boilers as well as of the oldest one. It is well to remark here that it is only boilers with lap joints that explode.

THE HOSPITAL BOILERS.

DESIGNATION.	Heating Surface.	Age.
Three 48-inch diameter horizontal return tubular boilers, lap joints.	Each 560 square feet, or 1,680 square feet total.	26 years.

Two of these boilers are used simultaneously. They are dangerous, are a fire risk for the hospital, and should be discontinued. They are used in cold weather only, and at other times the steam needed at the hospital comes through an underground pipe from the main power plant.

WOMEN'S PRISON BOILERS.

In this plant there are three 72-inch horizontal return tubular boilers as follows:

DESIGNATION.	Heating Surface.	Age.
One 72-inch diameter horizontal return tubular boiler, butt joints.....	1,670 square feet.	8 years.
One 72-inch diameter horizontal return tubular boiler, butt joints.....	1,670 square feet.	8 years.
One 72-inch diameter horizontal return tubular boiler, butt joints.....	1,670 square feet.	7 years.
Total.....	5,010 square feet.	

Two of these are used simultaneously in cold weather, and as they have butt joints they are safe.

OLD BOILERS NEAR MAIN POWER HOUSE.

There are two 54-inch horizontal return tubular boilers fifteen years old which are allowed to carry 84 pounds pressure. These boilers are never used unless something happens to those in the main power house. They have lap joints and are therefore unsafe.

There is one 15 horse power vertical portable boiler used for running a corn cutter.

ENGINES AND ELECTRIC GENERATORS.

In the main power house there are three high speed horizontal engines all of the same size and make, each direct connected to an electric generator. The engine cylinders are 14½-inch diameter, by 14-inch stroke. The generators are each of 75 kilowatt direct current and the voltage is 125. One engine is fifteen years, one fourteen years, and one seven years old. The engines and generators are not well adapted to the requirements of the service because they are all of the same size. The exhaust steam of these engines is used for heating.

MEN EMPLOYED AND WAGES.

The men employed in the different plants are as below. The service is twenty-four hours per day, seven days per week, and each man has an eight-hour shift. In the power house the intermediate fireman's shift is taken by a prisoner. There are spare engineers and firemen in order to give each man a day off every week.

NAME OF PLANT.	Number of Men.	Total Wages per Year.
Main power.....	Three engineers at $1,100 per year.....	$3,300 00
Main power.....	One relief engineer, 3 days per week, at $3.50 per day.....	546 00
Main power.....	Two firemen at $50 per month.....	1,200 00
Main power.....	Spare fireman, 2 days per week.....	200 00
Institution.....	Three firemen at $50 per month, 5 months.....	750 00
Institution.....	Spare fireman, 3 days per week, 5 months.....	125 00
Hospital.....	Three men at $30 per month, 6 months.....	900 00
Hospital.....	Spare man, 3 days per week, 6 months.....	150 00
Women's Prison.....	Two men at $50 per month, 7 months.....	700 00
Women's Prison.....	Three men at $50 per month, 5 months.....	750 00
Women's Prison.....	Spare man, 2 days per week, 7 months.....	117 00
Women's Prison.....	Spare man, 3 days per week, 5 months.....	125 00
	Cost of attendance per year.....	$8,863 00

I understand that the actual cost amounted to $10,418 for the year August 1, 1910, to August 1, 1911, but this probably includes other labor than that here considered.

Besides these men prisoners are employed for carting and wheeling coal and ashes.

Coal Used.

The following are the quantities of coal used per month at the different plants in the year August 1, 1910, to August 1, 1911, with various summations:

Plant.	August. (Pounds.)	September. (Pounds.)	October. (Pounds.)	November. (Pounds.)	December. (Pounds.)	January. (Pounds.)
Main	333,234	383,067	441,463	437,955	522,942	397,876
Institution	.....	.....	.....	152,056	345,629	285,725
Hospital	9,656	.....	28,657	93,004	206,520	176,199
Women's Prison	73,727	67,037	114,885	201,675	389,775	309,202
Totals	416,617	450,104	585,005	884,690	1,464,866	1,169,002

Plant.	February. (Pounds.)	March. (Pounds.)	April. (Pounds.)	May. (Pounds.)	June. (Pounds.)	July. (Pounds.)
Main	400,022	356,159	483,430	451,888	369,083	408,884
Institution	318,110	303,094	207,674	.....	.....	.....
Hospital	203,793	166,403	141,012	27,705	.....	.....
Women's Prison	351,046	307,815	278,600	104,395	81,775	83,674
Totals	1,272,971	1,133,471	1,110,716	583,988	450,858	492,558

Total coal consumed in the year 1910–11, 10,014,836 pounds, or 4,471 long tons.
Cost at $3.25 per long ton, $14,530.75.

Motors.

The following is a list of electric motors with sizes and locations:

Location.	Sizes. (Horse Power.)	
Laundry	15	Existing.
Women's Prison	Two 25	Existing.
Women's Prison	Two 1½	Existing.
Women's Prison, sewing room	One 1	Existing.
Women's Prison, sewing room	One 3½	Existing.
Women's Prison, chapel	One ½	Existing.
Men's sewing room	One 20	Existing.
New machine and tin shop	One 15 One 5	Proposed.
Carpenter and shoe shop	One 7½	Proposed.
Ventilating fans in men's work rooms	Three 2	Proposed.
Elevator in new machine shop	One 7½	Proposed.

The Need of A New Central Power Plant.

A new central power plant is very much needed at Deer Island for several reasons, as follows:

1. Several of the old boilers are too old and of dangerous construction. The lives of the attendants and inmates of the buildings, as well as the buildings themselves, are in danger.
2. The fire risk in the "Institution" Building and the Hospital is great.
3. A substantial saving in coal can be made by a central and new plant.
4. A substantial saving in labor can be made by a central plant.
5. By placing steam pipes and electric wires in good sized subways they can be better taken care of than at present. Such subways are contemplated in the estimate given further on. The size is 6 feet high by 5 feet wide, although we have generally made them larger.

Proposed New Power Plant.

We recommend that the new plant be located on a site now partially occupied by an old wood build-

ing, a part of which has been used for a schoolhouse. This is more central than any practicable location, and renders it easy to construct subways to reach the various parts of the property. It is also more convenient than any other point to the coal pile. In many cases the old steam pipes and wires would be connected to the new system, and as much of the old pipes and wires as possible would be utilized. It is important that the plant should be entirely new with the exception of these parts, for all of the old plant is rather old, some very old, and much unfit for further use. In addition to this it would cripple the service if any part of the old plant were used in the new station on account of difficulty of insufficient power while part of the plant was being moved. Moreover a new plant should be up-to-date and complete, and specially adapted to future service.

It is proposed to use vertical internally fired fire tube boilers because they have no brickwork, because they are more economical than bricked-up boilers, because they do not lose their economy with age, because they superheat the steam, because they take up less floor space then horizontal boilers, and because they make a neater looking plant than a bricked-up boiler.

The brickwork problem at Deer Island is serious. It is done by prisoners, and bricklayers are scarce among them, especially good ones. The elimination of brickwork from the boilers at Deer Island is important.

The present engines are not well adapted to the requirements. There should be one engine large enough to carry the maximum winter load, two smaller ones and one small enough to carry the noon load. At present no engine is usually run at noon because each is too large. This causes inconvenience because some lights are needed at that time.

The boiler room will be located at one end of the power house and the engine room at the other. Between them there will be a room containing feed pumps, feed water heater, an induced draft fan, and probably the chief engineer's office.

The boiler house would be high enough to accommodate vertical boilers, and the engine house would be of the same height. The latter would be divided into two stories, the upper being used for machine and tin shops. This is important in order that the chief engineer's department may be under one roof, and under his immediate observation. Moreover, the machine shop would be near where most of the repairs, etc., are required. An elevator and stairway would connect the engine room, machine shop and basement where oil and some other supplies would be stored.

The table of coal consumptions during the different months varies greatly, and it is proposed to build a rather small chimney so that natural draft will be sufficient for the boilers in summer. In winter, however, the draft would be produced by an induced draft fan which would discharge into the same chimney, the effects of the two being added together.

A covered coal pocket alongside of the building is included in the estimate to contain a week's supply of coal. This is sufficient for the situation and none too large. This would be built of reinforced concrete in order to be thoroughly fireproof if there should be spontaneous combustion of the coal, but the building would be of brick, steel and wood.

Saving of Attendance in a Central Plant.

There would be the same number of engineers in the new plant as in the old. In regard to the firemen there would be the same number of regular firemen as are now used in the main power house. All other firemen would be selected from prisoners.

It is proposed to fire from coal wagons which stand in front of the boilers.

The cost of attendance would be, in the new plant, as follows:

Attendance and Wages for Central Plant.

	Per Year.
Three engineers at $1,100 per year	$3,300 00
One spare engineer three days per week at $3.50 per day	546 00
Two firemen for the whole year	1,200 00
Spare man two days per week, whole year	171 00
All night firemen and additional firemen for winter months to be prisoners	—
	$5,217 00

Annual saving in attendance, $8,863 — $5,217 = $3,646.

The small number of firemen in the above is further justified by the smaller amount of coal used by the new plan compared with the old, as follows:

Saving of Coal by the New Plant.

On a previous page we have given the amount and cost of the coal used by the old plants as 4,471 long tons per year, costing $14,551. The new boilers will save, conservatively speaking, twelve per cent (12%) of this, or, say $1,700 per year.

The total operating savings by the use of the new plant will therefore be as follows:

Saving labor per year, say	$3,646 00
Saving coal per year	1,700 00
Total annual saving	$5,346 00

which is the interest at 4 per cent on $133,650. We should judge that there would be some saving in insurance by removing the old boilers from their present locations, and there will be some reduction in repairs and depreciation.

Estimate of Cost of New Plant.

It is proposed to make the boiler house large enough to accommodate ten 175 horse power vertical boilers and put in eight of them at first. This would at first provide two spare boilers for winter use, six being in regular use in cold weather. The boiler house would be about 40 feet by 65 feet, the engine room and auxiliary room 40 feet by 40 feet, and the machine and tin shop 40 feet by 40 feet, all inside dimensions. The coal pocket would be 40 feet square inside. It would be covered in and be provided with openings on top, with covers and an inclined drive for horses and carts.

There would be four engines as previously mentioned.

Detailed Estimate.

Building and chimney	$37,400 00
Coal pocket for 250 tons	5,940 00
Eight boilers erected and covered ready for use	32,760 00
Smoke flue erected	1,800 00
Economizer erected	5,000 00
Induced draft fan	1,200 00
Galleries and stairs	1,000 00
Two feed pumps	1,100 00
Feed water heater	1,200 00
	$87,400 00
Engines, Generators and Foundations: One engine with 120 k. w. generators, two engines with 75 k. w. generators, one engine with 25 k. w. generator, all erected ready to run	11,930 00
Subways, 1,050 feet at $25	26,250 00
Piping and covering, including covering for flue	25,000 00
Switch board and wiring	14,000 00
Miscellaneous, including coal scale, coal cars, ash hoist, sprinklers, outside piping and sewer connections	8,000 00
	$172,580 00
Add about 5 per cent for incidentals	8,420 00
Total estimated cost	$181,000 00

If a subway should be run to the receiving house, one vertical boiler and one sectional heating boiler could be done away with, and also attendance six months per year at $65 per month, or $390 per year. The subway would be about 800 feet long and could be smaller than the others and would cost about $12,000 if it was made large enough to allow the pipe to be properly taken care of. It would also permit an air compressor to be placed in the central power house for furnishing air to run pneumatic tools for stone drills, chippers, hoists and miscellaneous tools.

If on further consideration this should be found desirable it would be worth while, if the central plant is to be built, to make a detailed study of the advisability of locating the central plant near the wharf and thus do away with horses and carts

for coal and some other supplies. It might be possible to do away with the coal pocket included in the estimates. The first cost would not be materially different from that given in the estimate, hut some operating costs would be reduced.

The estimates have heen purposely made liberal on account of the high cost of doing work at Deer Island.

Respectfully suhmitted,
F. W. DEAN.

—

Boston, October 30, 1911.

Hon. John A. Sullivan,
Chairman Finance Commission:

Dear Sir,—I suhmit herewith the results of my investigation into the suhject presented in the letter of his Honor the Mayor, dated October 4, 1911, submitting the report of Mr. F. W. Dean, which emphasizes the risks of fire at the House of Correction and recommend the construction of a central power and heating plant at an estimated cost of $180,000. The Mayor requests that this commission investigate the proposition and advise as to the advantages which may he derived from it and as to whether the danger is so serious as to render necessary the outlay recommended by the engineer.

I have made a careful study of the report submitted hy Mr. Dean and have visited the premises at Deer Island. I am somewhat familiar with the conditions at Deer Island, having spent over one year there as an engineer connected with the building of the metropolitan sewer, and more recently having heen Acting Commissioner of Penal Institutions, in charge of the institution there.

Mr. Dean is an engineer who has specialized in the designing of mills and power plants, and he has invented an upright, internally-fired steam hoiler which hears his name. It is with great hesitation therefore that I am inclined to disagree with some of Mr. Dean's recommendations, especially those which call attention to the dangerous condition of the hoilers, the statements which seem to have especially disturbed his Honor the Mayor.

Some portions of the report made by Mr. Dean seem to me to he not sufficiently accurate to give a clear hasis for impartial judgment. On account of lack of limiting statements the inference can properly he drawn that the present steam plant at Deer Island is in a serious and dangerous condition. A statement is made without qualification on page 2 of the report that "the hoilers are unsafe on account of lap joints"; and again, that "it is only hoilers with lap joints that explode," and again, on page 3, "as they [the hoilers] have butt joints they are safe."

These unqualified statements give the impression that on one hand all lap joint hoilers under any conditions of use are unsafe, and that all hoilers with butt joints are safe under any and all conditions. As a matter of fact either type of boiler may be either safe or unsafe, according to its physical condition and the character of its service. It is prohahly a fact, however, that the greater percentage of hoiler accidents occur to the lap joint boilers and the construction of the lap joint type is not in favor with the authorities. The different forms of construction involved are as follows:

Lap joints, so called, are those in which the edges of the metal plates composing the hoiler shell are lapped over one another and fastened together by rivets passing through hoth plates. In hutt joints, on the other hand, the edges of the plates are hrought together with their surfaces flush with each other and the connection is made by straps of boiler plate of suitahle dimensions placed on each side, the rivets heing driven completely through both the straps and the shell plates. Butt joints furnish the stronger form of construction on account of the fact that the strains in the metal plates are equal in all parts of the metal and directly in the line of the plates. The rivets, also, being supported at both ends, are in so-called double sheer and have nearly twice the resisting power of the same size rivets in single shear, as in lap joints. Lap joints have also a serious weakness on account of a bending at the joints under pressure, due to the necessary deviation from a true circle of the riveted portion. With the lap joints the flat sections where the joint is riveted tend to take a circular form under the internal pressure from steam and return to the flat condition when the pressure is released. Such construction for longitudinal joints is therefore prohibited hy the Massachusetts laws for boilers over 54 inches in diameter. Nevertheless, under low pressure with small variations of pressure, lap joints are safe for all practical purposes and are in general use.

There may he, however, conditions where butt oints are unsafe. No radical and unqualified statement should be made without taking into consideration all limiting conditions and treating each case independently on its merits. The reports of the District Police, Boiler Inspection Department, copies of which are hereto appended, do not show any cause for alarm as regards the conditions of the hoilers at the House of Correction. All boilers seem to he well within the limits established as safe for the duties which they perform, and in addition to the ample margin of safety allowed by the hoiler inspectors there is still an additional margin of safety from the fact that the hoilers are not worked to near the pressure allowed, as shown hy the letter of the Commissioner of Penal Institutions, a copy of which is hereto appended.

It is an undouhted fact that modern practice in the construction of large institutions with collections of huildings is to build a separate plant for furnishing power, heat and light to the various huildings in the group. Economy of land and interior space is thereby ohtained, as well as an economy and increased efficiency of operation and in some cases a reduction of the fire hazard. Recent near-hy examples are the Art Museum and the collection of huildings comprising the Harvard Medical School. It has also heen for a long period the practice in mill construction to place the hoiler house in a location separate from the main structure, on account of the lessened fire risk.

If the Deer Island institution were to he entirely reconstructed, there would he little douht ahout the advisahility of a central power plant, hut this idea has already heen carried out there to a certain extent, as is shown hy the fact that the hoilers carrying the higher pressure are already in an independent building separate from the main institutions, and the hoilers located in the fire rooms connected with the various institution huildings are those used for power, under comparatively low pressures, and those which are operated for heating purposes only during a portion of the year.

The fire rooms connected with the various institution buildings, with one exception, are fireproof structures, except the roofs, and practically separate from the main buildings. The exception noted is the hospital huilding, the boiler heing in the hasement of one portion of the huilding. The hospital huilding is a one-story, wooden structure, huilt with a large number of wings and covering a large area of ground. There is no douht some fire hazard in connection with this huilding, but as the hoilers are operated at a low pressure, and for a portion of the year only, the risk is small and the actual danger to life is small, due to the peculiar design of the structure which allows easy means of escape for the inmates and also ease in fighting the fire. All of the other huildings which have hoilers connected are of hrick and more or less fireproof in their construction. It is prohahle that if the entire inflammahle portion of their respective fire rooms were burned little damage would he done to the main building.

It should also he considered that a central plant has disadvantages, on account of the fact that an accident or fire may disahle the entire plant and stop all operations, whereas only a small portion would in any reasonable probahility be out of commission at any time under the present system. The prohlem of so designing a plant that the steam can he used from the same hoilers at the different pressures necessary for power and for heating purposes is a considerahle one and with the best design some hazards are introduced and, on account of such possihle complications, I douht that firemen, or employees with similar duties, could he entirely dispensed with at the different buildings, as proposed by Mr. Dean. It therefore seems to me prohahle that his estimated saving in the lahor there would prove to be excessive under actual working conditions. On account of the ahsence of plans and the general nature of Mr. Dean's report no exact analysis or criticism of his report is possible, but the estimated cost of a new plan furnished hy Mr. Dean seems reasonahle and, although in my opinion somewhat low for general conditions, might he ample for the purpose at Deer Island, where prison lahor can he utilized to a considerable extent, especially in the digging for the foundations and in the construction of the transmission conduits. The changes which I should suggest regarding his estimate, moreover,

would be entirely to cheapen the cost of construction. These suggestions may not be important at the present time, but some of them may be noted, as follows:

The recommendation of Mr. Dean that none of the old material be used in the new plant seems of doubtful advisability. Some of the boilers in the old plant are comparatively new and it seems as if they might well be utilized. Mr. Dean proposes two new 75 kilowatt generators, although the city already has in operation two generators of exactly the same size, with engine connected, which should be continued in use if in good condition. The installation of a small engine with a 25 kilowatt generator to run during the noon at a cost of $11,930 seems to be of doubtful advisability, and the probability is that the fixed charges would be very large for the benefit derived.

The brickwork problem at Deer Island is, in my opinion, not as serious as Mr. Dean anticipates. At one time I had supervision of the construction of more than 2,000 cubic yards of brickwork at Deer Island, the larger part of which was done by prison labor, and there is little doubt that ample prison labor could be obtained to build the very small amount of brickwork required for boiler foundations, if it were considered desirable to employ such labor.

As regards the type of boiler favored by Mr. Dean, some of his statements regarding the advantages of upright boilers are open to discussion, to say the least, and others do not seem essential, as regards the proposed plant; and it is no discredit to Mr. Dean to say that he has the reputation of being somewhat prejudiced towards the type of boiler which he recommends, a very efficient model of which he has developed.

The proposition to furnish compressed air to the stone cutting plant at Deer Island opens up another question than that of the decrease in cost of manufacturing the cut stone and the increase in output. The purpose of the stone yard at Deer Island is understood to be not for a successful manufacturing plant, but to furnish hard labor to the more hardened criminals there confined, and the need seems to be to furnish such labor, rather than to ease the manual labor performed in the various operations. The production of a large amount of cut stone seems to be a minor consideration, and it seems to me very doubtful whether the installation of labor saving machinery would be advisable.

As regards the conclusions by Mr. Dean on page 7 of his report:

1. I differ from him in the statement that the boilers are of too old and dangerous construction, or that the lives of the inmates of the buildings, or the buildings themselves, are in any special danger.

2. In my opinion the statement that the fire risk from the boilers is great is somewhat of an exaggeration and, although there may be some risk, it is not greater than it has been during the existence of the institution, and the later structures are practically fireproof.

3. As to the correctness of his third conclusion, that a substantial saving in the amount of coal used can be made by a new plant, I have doubts, and am inclined to the opinion that the loss of heat by radiation from the type of boiler proposed by Mr. Dean, combined with the loss in the long transmission lines necessary, would in a considerable measure offset any economies in the amount of fuel.

4. I agree with his fourth statement that a substantial theoretical saving can be made in labor costs, although I think the estimate is excessive.

5. I also agree with his fifth statement regarding better care that can be taken of steam pipes and electric wires in the subway, a matter, however, of comparatively small importance.

On the whole, in my opinion, the commission can safely assure his Honor that the danger at Deer Island is not so serious as to render the construction of a central plant for light, heat and power necessary at present. In my opinion it would be impossible, even if the most rigid economy were observed as to the design and construction of a new plant, to reduce the annual expense, including interest and sinking fund charges to so low a figure as the cost of maintaining the present plant. It is true, however, that with a new plant the fire risk would be slightly decreased and additional accommodations would be secured in some of the buildings already erected. It does not appear, however, that such increased accommodations would be of any great value at the present time.

It is extremely difficult to prepare a reliable estimate for comparison of the probable cost of a new plant with the cost of the present plant, on account of the fact that detailed figures of the cost of operation and repairs of the present plant are not readily available, and on account of the fact that the plant at Deer Island is peculiar in that its duties are very light compared with those of similar plants in other localities, much of the apparatus being used only for a portion of the year. Therefore the standard figures of depreciation usually applied to such plants must be reduced to suit Deer Island conditions. I am of the opinion that an average sum of $3,500 yearly would be ample to pay for all necessary renewals and repairs at Deer Island plant for an indefinite term of years. It appears that the cost of depreciation, repairs and renewals on a new plant might amount to approximately 1½ per cent of the first cost. Assuming a basis of 25 years for the sinking fund charges on a new plant, an estimate prepared from the above figures, combined with the figures given by Mr. Dean in his report shows, approximately, as follows:

NEW PLANT.

Cost, $181,000.

Sinking Fund at 3 per cent compounded semiannually	$4,804 00
Interest at 4 per cent	7,240 00
Repairs and depreciation 1½ per cent (estimated)	2,715 00
Wages (Mr. Dean's report)	5,217 00
Coal (Mr. Dean's report)	12,787 00
Total yearly charges	$32,763 00

PRESENT PLANT.

Wages (Mr. Dean's report)	$8,863 00
Coal (Mr. Dean's report)	14,530 00
Repairs, renewals and depreciation (estimated)	3,500 00
Total yearly charges	$26,893 00
Balance in favor of present plant per year	$5,870 00
Total saving for twenty-five years,	$146,750 00

It will of course be understood that the existing plant has been entirely paid for and therefore no interest or Sinking Fund charges need be considered.

Respectfully submitted,
GUY C. EMERSON, Consulting Engineer.

(Annexed were the boiler inspection reports referred to.)

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Boston, November 4, 1911.

Hon. John F. Fitzgerald,
Mayor of Boston:

Sir,— The Finance Commission received your Honor's letter, dated October 4, 1911, inclosing the report of F. W. Dean, Mill Engineer and Architect, and requesting the commission to investigate and report on the advisability of building a central power and heating plant at Deer Island at an estimate cost of $181,000.

In submitting its report the commission desires your Honor to know that it has relied for advice on the technical points under consideration upon the report of its engineer, Mr. Guy C. Emerson. Its conclusions have been formed after a consideration of Mr. Emerson's report, together with the report of Mr. Dean, both of which are hereto annexed; the reports of the inspectors of steam boilers, filed at the office of the Massachusetts District Police, which are also appended hereto; and an examination of the plants at Deer Island by the chairman of the commission and the director of the Bureau of Municipal Research, Mr. G. A. O. Ernst, in company with the commission's engineer, Mr. Emerson.

The detailed inspection made by the boiler inspectors seems to indicate that all the boilers are in excellent condition for the service they are required to perform, and the report of Mr. Dean does not indicate that any such detailed examination as that made by the boiler inspectors has been made by him; nor does he submit any facts which show that the boiler inspectors' reports are incorrect.

Unless the boiler inspectors' reports are incorrect the danger from explosion would seem to be remote. The amount of pressure actually used at the plants is much less than the amount allowed by the Boiler Inspection Department. Thus, it appears from a letter of the Penal Insti-

tutions Commissioner to Mr. Emerson, dated October 11, 1911, that the boilers at the power house are allowed to carry 125 pounds pressure and ordinary pressure carried is 90 pounds; the boilers at the Women's Prison are allowed 80 pounds and the ordinary pressure carried is 60 pounds; the hospital boilers are allowed 65 pounds and the ordinary pressure carried is 30 pounds; and that boiler No. 1 at the institution fire room is allowed 50 pounds while the ordinary pressure carried is 40 pounds; and boilers 1 and 2 of the same plant are allowed 100 pounds each, while the ordinary pressure carried is 40 pounds for each.

The examination of the premises by the commission's engineer and the two other representatives of the commission does not indicate that the fire risk from the present plant is excessive, or that it would be greatly reduced by the construction of a new plant. The buildings are separated from each other, and only one of the buildings which contain boilers is of wooden construction. In all the other buildings which contain boilers the walls and the floors are either brick or concrete masonry, except the machine shop which has wooden floors.

The commission thinks Mr. Dean's estimate of an annual saving of $5,346 on maintenance pay rolls and coal is excessive; and it seems probable that the cost of maintenance of the new plant, including interest, sinking fund and depreciation charges, will be much more than the cost of maintenance of the existing plant. It is to be noted that Mr. Dean's estimate makes no allowance for the value of the existing plant though it should be good for many more years of service. Mr. Emerson has made an estimate of the probable cost of maintaining a new plant which it would cost $181,000 to install and which would probably last twenty-five years. His estimate of the annual cost of maintenance, including sinking fund, interest and depreciation charges, wages and coal, is $32,763 per year; while his estimate of the annual cost of maintaining the existing plant, including wages, coal and depreciation charges, is $26,893; an excess of $5,870 per year for the new plant, or $146,750 in the twenty-five years which the new plant is estimated to last.

The commission believes that there are many other municipal improvements which are needed far more than the building of a new plant at Deer Island at the present time or in the near future; and therefore recommends that no action providing for the construction of a new plant be taken at the present time.

Respectfully submitted,

THE FINANCE COMMISSION,
by JOHN A. SULLIVAN,
Chairman.

Boston, November 18, 1911.

Mr. Fred S. Gore,
Commissioner of Penal Institutions:

Dear Sir,— I have read the report of the Boston Finance Commission to his Honor the Mayor, and also that of Mr. Guy C. Emerson, consulting engineer to the commission.

I shall make no comment on those portions of either report which deal with interest and sinking fund charges, because I know little about them.

Mr. Emerson says that I have specialized in mill engineering and power plants. While this is true, it is important in this case that it should be known that I have independently specialized in boilers. I was brought up to design boilers by the eminent engineer, E. D. Leavitt, who was employed by the City of Boston for many years to design pumping engines and boilers for the water and sewerage works, and I have been designing boilers ever since I went into business for myself in 1889.

Mr. Emerson states that I have the reputation of having prejudice in favor of vertical boilers. One can never tell what his reputation is, but it is worth mentioning that I have put in more horizontal than vertical boilers. I prefer the latter, however, for the reasons given in my report. My own patent refers to means for internal inspection and cleaning and not to type.

Concerning the boiler brickwork matter at Deer Island I derived my information from the chief engineer at the institution.

I wish to be emphatic about the danger of boilers built with lap joints. It is well known by persons informed on the subject that, aside from the explosions of water-tube boilers, which are numerous, every explosion of the shells of boilers are those of boilers built with lap joints. There has not been a single explosion of a boiler built with butt joints. Can there be any stronger evidence that the former are dangerous and the latter safe? The fact that boiler insurance companies inspect boilers and pronounce them safe is no evidence that they are safe, for every boiler that has exploded has probably been insured and pronounced safe. Moreover, insurance companies do not and cannot examine the joints of boilers and say whether they are safe or not. I have given the subject of the safety of boilers great study, and am prepared to say that every lap-joint boiler is dangerous and every butt-joint boiler all but safe. There have been many lap-joint boilers that leaked steam sufficiently from cracked longitudinal joints to be heard, and put out of service in time to prevent an explosion. Only two such cases have occurred with butt joints.

Mr. Emerson states that there may be conditions where butt joints are unsafe. I emphatically deny this. The Massachusetts laws should prohibit the use of lap joints for all sizes 54 inches in diameter and less, as it does for those above 54 inches. Small boilers with lap joints are more dangerous than large ones because they differ more from the circular form than the latter.

Mr. Emerson says that he thinks it doubtful whether the economy of vertical boilers is greater than of horizontal. He considers the loss by radiation of the former greater than from the latter. Other engineers hold the opposite view. Professor Denton of the Stevens Institute of Technology, who is a thorough student of boilers, estimates this loss from vertical internally fired boilers as 1 per cent. Nobody would think of taking it as small for boilers set in brickwork. It is noticeable that a room filled with vertical internally fired boilers, is much cooler than one with horizontal boilers set in brickwork.

Concerning the advisability of using new engines and generators it was my idea to use everything new, and take advantage of the present state of the art, and sell the old ones.

The second sentence at the top of page 6 of Mr. Emerson's report is misleading, because it states that the cost of a 25 kilowatt generator and engine is $11,930, while in fact this is the cost of all of the engines and generators.

Finally, I wish to say that I consider that the lap-joint boilers at Deer Island are not safe, and that the City of Boston is taking great risk in allowing them to remain in service. Furthermore, I think the fire risk is too great. Mr. Emerson admits that it amounts to something.

Mr. Emerson states that there is some fire risk in an isolated plant. Anybody can make up his mind how much fire risk there is in a boiler and engine house built of incombustible materials throughout except the roof planking, this in the boiler room being 41 feet and in each of the others about 20 feet above the floor.

I have not referred to the economy in fuel and labor of a new plant over the old ones as I have nothing to offer beyond what I gave in the original report.

Respectfully submitted,
F. W. DEAN.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Estate of J. H. McGrady, for compensation for damage to estate, 446 Quincy street, by Fire Department apparatus.

Augustus Hemenway, Jr., for compensation for damage to automobile by Fire Department apparatus.

Mrs. Annie Gannon, for compensation for injuries caused by an alleged defect in highway at 16–18 Bowdoin street.

Public Lands.

Remonstrance of Joseph J. Lannin *et al.* against removal of restrictions from land at South street and Arborway.

INCREASE IN FIRE DEPARTMENT.

The following was received:

The Real Estate Brokers'
Association of Dorchester,
Dorchester, January 16, 1912.

To the Honorable the City Council:

The undersigned, The Real Estate Brokers' Association of Dorchester, respectfully petition for an ordinance to provide that the Boston Fire Department force be increased to a minimum force of twelve hundred (1,200) men, and that hereafter at no time shall the department be maintained with less than one man for every 600 inhabitants.

Further, we petition for the establishing of, the installing and maintaining of, two motor-driven flying squadrons, fully equipped and manned, to be placed in the Dorchester district, the locations to be left to the discretion and judgment of the Fire Commissioner.

Respectfully submitted,
THE REAL ESTATE BROKERS' ASSOCIATION OF DORCHESTER,
by RAYMOND P. DELANO, Secretary.

Placed on file.

COAL AND COKE LICENSES.

Copies of coal and coke licenses granted by the Secretary of the Commonwealth were received.

Placed on file.

STORAGE OF EXPLOSIVES.

Notices were received from the hereinafter named parties certifying that the following named structures were used for the storage of gasolene, and of intention to use same for the ensuing year, viz.:

Katherine Abbott, 240 Beacon street, Ward 11.

Fred Edwards, 530 Columbia road, Ward 16.

C. F. Haven, 32 Eliot street, city.

John V. Fell, formerly Patrick V. Sullivan, rear 193 Humboldt avenue, Ward 21.

John G. Godding, 704 Washington street, Ward 25.

Placed on file.

NOTICE OF CONTRACT.

Notice was received from John J. Madden, Cemetery Trustee, of his interest in contract for work done for Sanitary Division of the Public Works Department.

Placed on file.

NOTICES OF HEARINGS.

Notices were received from the Directors of the Port of Boston of hearings on February 8, at nine o'clock a. m., on the following petitions, viz.:

George T. Rendle, for license to build pile wharf on Chelsea creek.

City of Boston, for license to construct fender piers at wharf at Deer Island.

Placed on file.

RAILWAY POLICE.

Notice was received of appointment by the Mayor of Cambridge of street railway police for the Boston Elevated Railway Company.

Placed on file.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the constables' bonds of Cornelius A. Coughlin and Frank R. Farrell.

Approved by the Council.

RELEASE OF LAND RESTRICTIONS.

The Council proceeded, on motion of President COLLINS, to take up unfinished business, viz.:

1. Whereas, The Board of Aldermen, by an order passed April 21, 1890, and approved by the Mayor April 22, 1890, took certain parcels of land in that part of Boston, formerly Dorchester, between Park street and Neponset avenue, for the purpose of continuing and extending the improved sewerage system of the said City of Boston; and

Whereas, The Commissioner of Public Works, now having charge of said parcels of land, has notified the City Council that a portion of one of these parcels of land and the easement therein is no longer required for public purposes, it is hereby

Ordered, That his Honor the Mayor be and he is hereby authorized in the name and behalf of the city and in accordance with the provisions of chapter 25, section 50, of the Revised Laws of Massachusetts, to declare the rights and easements so taken in the following described parcel of land to be abandoned, said declaration of abandonment to be made for a nominal consideration, namely, a parcel of land as shown on a plan marked "City of Boston, Improved Sewerage, Dorchester Intercepting Sewer, Land Plan," dated April, 1892, signed by William Jackson, City Engineer, and deposited in the office of the Public Works Department, Sewer Service, marked "K-95, Sheet No. 5A," bounded and described as follows:

Beginning at a point marked A in land now or formerly of S. Pinckney Holbrook and running southeasterly bounded easterly by land of said Holbrook by a curve of 50 feet radius, 48.56 feet to a point marked B; thence running more southerly bounded easterly by land now or formerly of said Holbrook, by a straight line 187.04 feet to a point marked C; thence running more southerly bounded easterly by land now or formerly of said Holbrook, by a curve of 50 feet radius, 16.98 feet to a point marked D; thence running westerly bounded southerly by the end of Bertram street about 21 feet to a point marked E; thence running northwesterly bounded westerly by land now or formerly of said Holbrook, by a curve of 30 feet radius, 5.7 feet to a point marked F; thence running northwesterly bounded westerly by land now or formerly of said Holbrook, by a straight line 35.62 feet to a point marked G; thence running northerly bounded westerly by a portion of parcel No. 14, taken for sewerage purposes by the City of Boston April 22, 1890, 43.68 feet to a point marked H; thence running northerly and westerly by a curve of 50 feet radius bounded westerly by a portion of parcel No. 14 taken by the City of Boston for sewerage purposes as aforesaid, 62.26 feet to the point of beginning.

On January 20, 1912, the foregoing order was read once and passed, yeas 8, nays 0.

The order was given its final reading and passed, yeas 8, nays 0.

2. Ordered, That his Honor the Mayor be and he hereby is authorized in the name and behalf of the city and by an instrument satisfactory to the Law Department to release for a nominal consideration to the Massachusetts General Hospital a triangular parcel of land containing 26 square feet, more or less, and bounded southerly by Fruit street $2\frac{42}{100}$ feet; westerly by North Grove street $21\frac{80}{100}$ feet, and northeasterly by land of said Massachusetts General Hospital $21\frac{75}{100}$ feet.

On January 20, 1912, the foregoing order was read once and passed, yeas 8, nays 0.

The order was given its final reading and passed, yeas 8, nays 0.

3. Ordered, That the Board of Park Commissioners, with the approval of the Mayor, and by an instrument or instruments satisfactory to the Law Department, may in the name and behalf of the city modify and amend the restrictions contained in deeds or agreements given to the city by the owners of lands abutting upon the Fens, including the entrances thereto and the Charlesgate, by altering or amending paragraph 2 of said restrictions so as to permit the erection or placing upon said lands of apartment houses costing not less than four thousand dollars per story for every twenty-five feet or less of frontage and at the same rate for any greater width; it being understood that the authority hereby granted shall not extend to lands lying north or west of Brookline avenue.

On January 20, 1912, the foregoing order was read once and passed, yeas 8, nays 0.

The order was given its final reading and passed, yeas 8, nays 0.

SALE OF LAND.

The Council proceeded, on motion of President COLLINS, to take up unfinished business, No. 4, viz.:

4. Whereas, The Board of Street Commissioners, under authority conferred upon said Board by acts of the Legislature of the Commonwealth of Massachusetts, did take for school purposes, by

an instrument recorded with Suffolk Deeds on tbe twenty-eighth day of June, 1910, certain lands situate on Common and Warrenton streets in said Boston, including a parcel of land containing 1,582 square feet more or less, supposed to belong to George P. Darrow heirs and Mary C. Darrow, and

Whereas, the Board of Schoolhouse Commissioners, having charge of said lands taken as aforesaid, has notified the City Council that in its opinion the above-mentioned parcel of land containing 1,582 square feet more or less, taken from said George P. Darrow heirs and Mary C. Darrow, is no longer required for public purposes, it is hereby

Ordered, That the Mayor be and he is hereby authorized in the name and behalf of the city and in accordance with the provisions of chapter 25, section 50, of the Revised Laws, to sell and convey said parcel of land taken as aforesaid from said George P. Darrow heirs and Mary C. Darrow for a sum not less than ten thousand five hundred dollars, and for such consideration, and upon such other terms as he may consider proper, to execute in the name and behalf of the city a deed of said premises satisfactory to the Law Department.

On January 20, 1912, the foregoing order was read once and passed, yeas 7, nays 0.

The order was given its final reading and passed, yeas 8, nays 0.

APPROPRIATION FOR CHELSEA BRIDGE.

The Council proceeded, on motion of President COLLINS, to take up unfinished business, No. 5, viz.:

5. Ordered, That the balance of the appropriation for Cbelsea North Temporary Bridge be transferred to an appropriation for Chelsea Bridge North, to be expended by the Commissioner of Public Works; that the sum of $95,000 be and hereby is appropriated and added to the aforesaid appropriation for Cbelsea Bridge North, and that to meet this additional appropriation the City Treasurer be and hereby is authorized, on the request of the Mayor, to issue bonds or certificates of indebtedness of tbe city to said amount.

Ordered, That the City Auditor be and hereby is authorized, with the approval of the Mayor, to transfer the appropriation for Cbelsea South Temporary Bridge to an appropriation to Chelsea Bridge North.

On January 20, 1912, tbe foregoing orders were read once and passed, yeas 8, nays 0.

The order was given its final reading and passed, yeas 8, nays 0.

PRISONS.

Coun. SMITH submitted the following:

The committee of the City Council, appointed in accordance with the provisions of section 1, chapter 224, of the Revised Laws, to inspect the prisons in the County of Suffolk, bas attended to that duty and submits the following report:

The institutions covered by law, consisting of Cbarles Street Jail, the Parental School for Truant Boys and Girls at West Roxbury, the House of Correction at Deer Island and the Suffolk School for Boys at Rainsford Island, have been inspected periodically during the year as to management, discipline, food, proper treatment, cleanliness and health, and in each institution the committee found a strict observance of the rules of the institution and a proper care of the inmates. In each case the inmates were given the fullest opportunity to make complaint to the committee, if they so desired, of their food, clothing, treatment and the conduct of the officers toward them, but not one complaint was heard, wbich speaks highly for the efficient and intelligent care given by those in charge of these unfortunates.

Charles Street Jail.

The committee found the jail in good condition, the utmost regard being paid to the cleanliness and comfort of the prisoners. The discipline is excellent and the general management good.

The committee offers two suggestions for improvement of jail conditions:

First. Some system be adopted by which prisoners detained one month or more shall be given regular daily exercise in the open air. We feel that this is necessary from a humanitarian standpoint, even though it require additional jail officers and an appropriation for necessary protective changes.

Second. The present old-fashioned system of tub baths be replaced by modern sbower baths. This is desirable not only from the standpoint of handling more men at once but also because the present tubs and matchboard wooden partitions are impossible to keep thoroughly clean.

Deer Island.

The committee found the buildings well kept up and no dissatisfaction among the prisoners. We offer three suggestions:

First. That a start be made this year to segregate the different classes of prisoners. The most necessary step is to isolate the drug fiends and violent cases, because the first class tends to spread the babit among the other prisoners, and the latter class, under present arrangements, will disturb several hundred men. The isolation of these two classes is dependent upon a second suggestion, namely:

Second. The erection of a central lighting and heating plant to take the place of the five separate existing plants. This improvement would pay for itself through decreased cost of maintenance in a few years. It would also leave vacant two buildings which, with slight alterations, would be available for segregation purposes.

Third. We believe a small beginning sbould be made toward teaching trades to the long-term prisoners, which would be helpful to them earning a livelihood after their release. The products of such trades would, of course, not be sold in the open market, but used in the various city and county departments. A small wage might be paid for sucb work to be turned over to the family of prisoners when in need, or accumulated to the prisoners' credit pending release. This would not be entirely an increase in expense to the city because a considerable amount of money is now paid for the relief of sucb cases by the Overseers of the Poor.

We heartily indorse tbe plan of Commissioner Gore for joining in the old part of the prison every two cells into one. This will give necessary improvement and accommodations, and at the same time provide work for tbe prisoners during inclement weather.

Parental School.

We found the buildings in excellent condition and the boys busy and contented. The superintendent has entered into his work witb enthusiasm and has brought about many minor improvements. We renew, with emphasis, two previous recommendations:

First. That the old stable be demolished and a new one built. The cost will be about $6,000. This is a sanitary necessity as well as being a distinct improvement in appearance.

Second. That a coal pocket be erected adjacent to the heating plant, as the present method of storing coal is most costly.

In addition to the above we urge action on the recommendation of the Board of Trustees that the playground be raised in grade and that the Public Works Department cooperate in filling the marsb directly adjoining. This should be borne in mind when the new contract for the West Roxbury district is made by the Commissioner of Public Works.

In closing we admit some doubt as to the advisability of continuance of the school on its present scale. It has shrunk from 285 boys to the neigbborhood of 130. One building (Curtis) is entirely unused. One of the cottages is to be vacated in the near future, and one of the dormitories is only partially used for teacbers. This condition is brought about from the increase in the probation system. As the cottage system has been suggested for Rainsford Island we recommend that the trustees consider the advisability of joining the two schools on the island.

Rainsford Island.

The committee found tbe buildings had been improved considerably over last year and an excellent spirit prevailed among the boys. The superintendent is to be congratulated upon his methods, especially the introduction of the military drill. This seems worthy of being enlarged upon.

The general suggestion that the cottage plan be the basis for future growth we believe to be not only practical but in accordance with modern ideas in similar institutions.

To offer space for such development it would be desirable to fill in the eove at the island.

The most pressing necessity, however, is for a safe and adequate heating and lighting plant. This should be erected with a view to joining with it cottages which may be built in the future.

The most helpful thing from the boys' standpoint is the shoe shop, which ought to be enlarged by the addition of an ell. This could be done at a slight expense.

Annexed will be found the reports of those in charge of the various institutions, as required by law.

For the committee,
EARNEST E. SMITH, Chairman.

(Annexed were the indices referred to.)

Report accepted and ordered printed as a city document.

CLAIMS.

Coun. BUCKLEY submitted the following:

The Committee on Claims submits herewith to the City Council a list of all the claims upon which action has been taken during the municipal year 1911, and respectfully recommends that the same be printed as a city document. (Document 151.)

For the committee,
TIMOTHY J. BUCKLEY, Chairman.

(Appended was the list referred to.)

Report accepted and ordered printed as a city document.

(1) Report on petition of John A. O'Rourke (referred December 29) for compensation for expenses incurred by him on account of his acts as police officer—recommending the passage of the following:

Ordered, That there be allowed and paid to John A. O'Rourke the sum of $234 for expenses incurred by him in suit against him on account of his acts as a police officer, said sum to be charged to the appropriation for Police Department.

Report accepted; order passed.

(2) Reports on petitions for compensation for damage to property, person, etc.—that the petitioners have leave to withdraw, viz.:

Dr. H. J. Baker (referred July 7), for damage caused by spraying by Public Grounds Department at No. 741 Columbia road.

Lorenzo Bevilacqua *et al.* (referred 1910), for loss of horse and harness by a defective manhole in Belgrade avenue.

Florida Bongaards, by father, John S. Bongaards (referred 1910), for injuries received by fireworks discharged by the city at South Boston on July 4.

Boston Express Exchange (referred September 11), to be repaid amount of three wagon licenses which are not to be used.

William H. Breen (referred August 22), for damage to property at No. 1 City square by overflow of a water main.

Edward Brown (referred April 17), for injuries to his daughter, caused by fall in front of the Gaston School on Fifth street.

L. B. Buswell (referred 1909), for damage to suit by a street watering cart.

Mrs. John P Callahan (referred 1910), for injury and death of her son by being struck by tool chest of Water Department.

Abbie F. T. Codman (referred 1909), to be refunded money paid for water rates at No. 337 Neponset avenue.

The Coffin Valve Company (referred 1908), to be paid balance due on contract for sluice gates at pumping station, Cow Pasture.

Nellie Cogan (referred November 27), for injuries caused by an alleged defect in Washington street in front of R. H. White's store.

Francis N. Coghlan (referred 1910), for damages caused by an alleged defect in Hancock street.

Samuel J. Coleman (referred 1909), for overtime while in the employ of the Street Department, Sewer Division.

Mary L. Collins (referred 1909), for damage to clothing by a wagon of the Public Grounds Department.

J. A. Colmes (referred March 13), for clothing damaged while putting out a fire on the Oakland Street Bridge.

Peter Connolly (referred 1910), for wages for time lost on account of injuries received while in employ of city.

Mrs. Nora Coyne (referred February 20), for illness and death of husband from injuries received while in employ of city.

Timothy J. Cunohan (referred August 22), for damage to premises No. 45 Stanwood street, Roxbury, from flooding of cellar.

Abbie Davis (referred February 13), for injuries caused by fall on Audubon road.

Order (referred 1909) for payment to Margaret Davis on account of injury to her child.

Nicoletta Di Sisto and Colagino Fiorenzo (referred 1908), for injuries received and for damage to property No. 2 Charter street by flooding by drain water.

John Devlin (referred October 16), for injuries received while in employ of Sanitary Division of Street Department.

Alvin D. Dorr (referred September 11), for damages to estate on Weld Hill street by construction of sidewalks.

Daniel C. Earle (referred May 1), for injuries caused by being knocked down by an automobile belonging to city.

Sally Hecht Ehrlich (referred October 16), for brick wall, rear No. 553 Columbus avenue, demolished by wagon of Public Works Department.

Elizabeth Enos (referred September 18), for damage to fence at 120–122 Melville avenue by employees of city.

Hannah Foley (referred 1910), for injuries to minor son at Columbus Avenue Playground.

Rose D. Gans (referred January 2), for damage on account of fall at Franklin Street Tunnel.

Tobias W. Gerich (referred 1909), to be refunded money paid for dog license.

Margaret Giblin (referred 1910), for damage to property 159 Dorchester avenue by persons using playground.

Bernard E. Grant (referred 1910), for loss of horse while in employ of Street Department.

Daniel A. Healey (referred November 13), for damage to clothing by a projection from a telephone pole on Elm street.

Hunter & Ross (referred 1910), for damage to horse by falling into manhole on Ferdinand street.

Hannah Johnson (referred Aug. 22), for damage to clothing splashed with mud and oil.

Elizabeth Kiggen, executrix (referred January 16), for damage to estates 23 and 29 Wenham street by construction of sidewalk.

Gaetano La Marca (referred July 17), for damage at 90 Prince street caused by defect in water pipes in front of said premises.

Frank M. Leonard *et al.* (referred October 2), for damage by overflow of sewer at 12, 14, 17, 19 Union avenue.

Lord & Webster Company (referred October 2), for damage to horse by catch-basin entrance at No. 250 Commercial street.

John McNeil (referred 1910), for damages by fireworks at Cottage Street Playground, July 11, 1910.

Miss M. Masse (referred 1910), for damage to clothing by being splashed with mud while walking on Charles street.

Samuel Medway (referred 1910), for damages caused by issuing of a certificate relative to assessments against estate 23 Elmwood street.

Jacob W. Miller (referred 1910), to be refunded $200 paid by him for iron which was not delivered by the city according to contract.

Laurence Minot (referred May 31), for expense incurred on account of stoppage of main sewer at 1 Noanet street.

Monahan & Larkin (referred February 20), for hearing concerning assignment of wages.

Mrs. Nora Noonan (referred January 2), for injuries caused by alleged defective coal hole at 11 Fayette street.

Mrs. James H. O'Brien (referred 1910), for damage to estate 30 Belvidere street, Ward 10, by defective hydrant of catch-basin.

Joseph O'Shanky (referred 1910), for damage to stock at 10 Howard street by flooding by water.

Page & Phinney (referred 1910), for damages to automobile on Chelsea Bridge.

Joseph P. Pierce (referred January 2), for injuries caused by fall on Lincoln street.

Alie Posner (referred February 13), for injury to his daughter by a Water Department carriage.

Mrs. Potter (referred June 26), for injuries caused by her falling on the Public Garden.

Vincent Prezinso & Co. (referred May 31), for damages at 124 Prince street by employees of the Public Works Department.

Jane L. Randolph (referred June 26), for injuries caused by her falling on Tremont street in front of Tremont Theater.

Rose Rubin (referred January 23), for hearing on her claim.

John C. Sargent (referred 1909), for compensation for overtime while in employ of Street Department, Sewer Division.

Jennie M. Scott (referred 1909), for damage to estate 72 Grampian way by change of grade of said street.

Samuel Segal (referred 1910), for damage to property 9 Hull street by overflow of water.

Hyman Spektosky (referred May 1), for damages at 39–41 Salutation street by blocking up of sewer.

Andrew Spence (referred 1909), for refunding of taxes on barn adjacent to premises 58 Westville street, Dorchester.

W. F. Stewart (referred 1909), for services rendered the Street Department, Sewer Division.

Charles Tehan (referred 1910), for injuries caused by a defective manhole cover in Randolph street, December 24, 1908.

Elizabeth Thompson (referred 1909), for injuries caused by fall on Greenwich park.

Mary Lee Ware (referred July 7), for damaged drain at 43–45 West street.

Thomas B. Westroh (referred January 16), for injuries caused by an alleged defect in highway at 188 Hanover street.

H. S. Wheeler (referred 1910), for hat ruined by plank in temporary bridge on Shawmut avenue.

Reports severally accepted.

(3) Report on message of Mayor, communication from Fire Commissioner, etc. (referred December 29), concerning injuries to Anna A. Robertson —recommending the passage of the following:

Ordered, That in accordance with the recommendation of the Fire Commissioner, under date of December 1, 1911, there be allowed and paid to Anna A. Robertson the sum of $4,000 in compensation for injuries received by her caused by being run into by an automobile of the Fire Department of the City of Boston in front of No. 552 Massachusetts avenue, on September 21, 1910; the said sum to be paid in full settlement of all claims or suits pending against the City of Boston or the Fire Commissioner or any employee of the Fire Department arising out of the accident hereinbefore described; the amount so paid to be charged to the Reserve Fund.

The question came on accepting the report and passing the order.

Coun. KENNY—Mr. President, that is rather an important matter, and of course it is out of the ordinary routine. As I understand it, the order calls for the payment of $4,000 by the city to indemnify to some extent this person who was injured. I understand, as far as I have made any investigation, that it is rather a meritorious case, that the injuries were very severe; but, nevertheless, it is not a matter where the city itself is liable. The parties themselves admit that; there is no question about it. It is simply a question of how far we should go to aid this unfortunate person. I should like the opportunity of talking with the Corporation Counsel and of examining the evidence which was given by the chauffeur before the Highway Commission. This is the first time the matter has been presented to this body. It is, of course, to be regretted that it comes in at the last meeting; nevertheless I think it is of so serious a nature that we would not be warranted in passing it to-day. Therefore I would move that it be referred to the next city government.

Coun. BUCKLEY—Mr. President, at the beginning of the year, when you were elected President, you appointed committees for the purpose of hearing arguments on the different matters presented to the City Council. A majority of the members of the Committee on Claims—Coun. McDonald, Attridge and myself—heard this case presented on last Thursday afternoon, this communication being sent here at the session last Monday and referred to our committee. It seems that in September, 1910, this young woman was walking along the sidewalk on Massachusetts avenue, not disturbing anybody, walking along in a peaceable manner, as she had a perfect right to do, and this automobile skidded right along, went up on to the sidewalk and drove her through an iron fence in front of a house on Massachusetts avenue. At that time she was earning a salary of $40 a week as head stenographer in a large business house in Boston. She was a very capable girl, had great executive ability, and was earning this large salary for a woman. To-day she cannot earn more than $12 a week, owing to the injuries she received at that time. She came into the room and could hardly walk, was crying practically all the time, continually in pain through no fault of hers, but simply because she was injured. I don't want this matter to go over for another week. I feel that it is a matter that should be attended to now, and I feel that it ought to go through this Board this afternoon. What are your committees for if not to hear these cases and report on them? What good is a committee report if it is not sustained by the City Council? I never saw Miss Robertson until that day, and neither did Coun. McDonald or Attridge. We admit that there is no legal claim against the City of Boston, but there is something far higher, a moral obligation. One of the city's servants was at fault and it is only right that we, as the City Council of the City of Boston, should recognize the moral claim, which is even greater than any legal claim that might be presented. In addition, this girl was taken to the Boston City Hospital and had to pay five hundred and some odd dollars for treatment there. Think of it! Her life almost taken away by an automobile belonging to the city, and yet she had to pay for the treatment she received at the City Hospital. It has also cost her $1,800 for other treatment, making $2,300 that she has paid out. The Law Department was willing to settle this claim for $2,500, but you will all admit that she should certainly receive a little more than she paid out. Here is a girl maimed for life, who can never again earn more than $12 a week. I don't know how long she will be able to earn that, and I don't know how long she may live. She was the only support of a widowed mother, and at the present time she is not able to earn a living for herself and mother owing to the injuries she received. We are all fair minded men. I recognize how conscientious Mr. Kenny is when he wants this put over for a week, but I believe that we have spent all the time we should on this matter, that we should put it through to-day and not grant further time. We sat on the case and we heard the counsel for this girl—and by the way, the counsel is not going to receive one cent for all the time he has put in. He said he would like the money paid to Miss Robertson directly and that he should not accept one cent for his time and energy in connection with the matter. It seems to me if the counsel in the case is willing to go that far we should certainly be willing to give her $4,000. She has lost more than that—her health and everything worth living for; and this is simply about $1,700 more than the girl expended. She is entitled to that much, if she is entitled to a cent. We would be unjust if we did not vote to-day to give her the $4,000 which the Committee on Claims awarded her. You yourself, Mr. Chairman, have served on the Committee on Claims and know how we bear matters. You know that we are perfectly frank in turning down claims that we do not think are fair and just against the city. But you yourself, I know, believe there is a higher claim than a legal obligation, and I believe this is such a claim. There is a moral obligation upon us to settle this claim. What could she collect even if she did recover judgment from the chauffeur and the—I won't say the late Fire Commissioner, but the former Fire Commissioner? It seems to me there is a moral obligation on us, and I know that we, as fair minded men, will to-day accept the report and pass the order.

Coun. CURLEY—Mr. President, I feel that Coun. Kenny will recognize the necessity for immediate action on this proposition. I want to say that I was in a position where I had an opportunity to be familiar with the nature of the injuries received by Miss Robertson. At the time when I was in Ward W of the hospital she was in a ward on the floor immediately above and I talked with various surgeons and physicians in the hospital who were treating Miss Robertson at the time. I talked with Dr. Paul Thorndike about it, and he said it was one of the worst cases that they had treated in the hospital for many years. The report from the hospital discloses the fact that there was laceration of the right leg, a scalp wound and fracture of the skull. He informed me that the entire flesh was rubbed off this girl's leg from her hip to her knee, that it required continual skin grafting, with great pain, for somewhere in the neighborhood of four months before they could make any progress. The total time she was in the hospital was twenty-three weeks and two days, and she has been suffering from this injury for one year and four months. In view of that fact I feel that some consideration should be given to the necessity for immediate action. It was not my intention to make mention of what I am about to say, and if the matter had been permitted to go through I would not have mentioned it. But at Christ-

mas time, just previous to Christmas, the 20th of Decemher, this woman, whom I had never seen and whom I have never seen, wrote a letter saying she was hringing suit for $15,000 against the city for injuries received, but that in view of her financial condition she deemed it advisahle and necessary that she make a settlement, if it were possible; and she went on to say in the letter that she had $1 to carry her from the twenty-first day of Decemher over Christmas. I answered her letter and inclosed $5, and said I trusted that she would accept of it. I should judge that she is a woman of considerable refinement and culture, one who has never been the recipient of charity in any form previously, for I received a letter about two days later saying that she had heen compelled to swallow her pride and was extremely pleased to accept the small contrihution that had heen received, as it made it possible for her to have a pleasant Christmas, whereas otherwise it would have heen an extremely unpleasant one. Summing it all up, this woman was walking on the sidewalk; she was injured in consequence of the carelessness of the man in charge of the Fire Commissioner's automohile; she remained in the hospital undergoing treatment for twenty-three weeks, and undergoing during that time the most severe pain possihle. There is no pain to exceed that which accompanies the grafting of skin on the human hody. She is discharged on crutches from the hospital and continues on crutches for one year and four months, dating from the time of the accident, and I feel that if she receives $4,000 in consequence of the great injury she has received it is not an exorhitant sum. I do feel that if a proper presentation of the facts were made to a jury in any court, regardless of whom the twelve men might he composing the jury, the verdict would he unanimous in favor of at least a great portion of the $15,000 for which suit might he hrought. All things considered—the fact that the woman is of excellent character; that she found it possihle to sustain herself in a very good manner previous to the accident; that she has undergone physical torture for more than a year, and that the amount recommended is only about a fourth of the total amount for which suit would he hrought, and considering also her present financial as well as physical condition,—I helieve all these elements should have great weight with the memhers of this Council. For these reasons I sincerely trust that the gentleman's motion will not prevail but that the order will be placed on its passage.

Coun. KENNY—Mr. President, I think about a year ago last spring or some such time I undertook—I imagine not successfully—to amend the rule so that when a report came in here from a committee involving the expenditure of money it would lie over for one week. Unless that rule has been repealed, I don't think it has been enforced, and I think unless it has heen repealed there is still such a rule. As I recall it, it is an amendment to section 16 of the rules. Ordinarily when a person receives an injury and is relegated to his rights at law he hrings a suit, and he is exactly in the same position as other litigants. Every person has a right to a forum for the trial of his case, and it ordinarily takes in Boston almost two years before a case is reached in the courts for trial. I have nothing to do with what has been said here. I have no desire to review the facts in this case with the purpose of making any argument against this allowance. That is not my position at all. I simply say, as a memher of the Council who is charged with the responsihility of voting this money, that we ought to have proper time to consider and look into the facts. I don't know how far the committee has looked into those facts. I don't want to do the chairman any injustice, and he can correct me if I am in error, but in talking on this matter awhile ago he appeared to have lost sight of the fact that at the time of the accident the automobile contained only the chauffeur. I rather assumed from what the chairman said that he understood that at that time the Fire Commissioner was with the chauffeur. I understand that that is not so. If I am wrong in my reference to what the gentleman said I am willing to correct my statement.

Coun. BUCKLEY—Mr. President, in my presentation I did not say anything ahout the Fire Commissioner. I said it was an automobile of the Fire Department.

Coun. KENNY—The gentleman is in error; I am not referring to his presentation hut to the talk he and I had in the outer Chamber before this meeting, within half an hour. I should like to ask if that was not the substance of it.

Coun. BUCKLEY—He was on his way to get the Fire Commissioner for the purpose of taking him to a fire at the time the accident occurred. So he was not on a frolic of his own.

Coun. KENNY—That is true; I know that to be a fact myself. But the trouble was that I did not understand that the gentleman knew that to he the fact. If I have done him any injustice I will withdraw that suggestion, but in talking with him hefore we came in here in a general way about the facts of this accident, he did not convince me that at the time of the accident he knew what the exact facts were. In other words, I did not understand that the chairman of the committee knew the fact that Fire Commissioner Daly was not in the automohile—as he was not. I will not press this any further. This may he a meritorious case. I have not argued and have not said a word against it. Probahly I shall bring myself to the point where I can vote for it, hut I want to examine into it and I want to see Mr. Bahson, the Corporation Counsel. I want to talk with the chauffeur. We know that the City of Boston under the law may in certain contingencies adjust certain kinds of cases. The city could not settle this case unless a suit was pending. And, by the way, I should like to say that the suit was for $10,000 and not $15,000. If a suit is hrought against the chauffeur, and pending the suit the committee wants to settle the case, it may do so. Otherwise it could not do so. We did not make the law; we did not create this condition of things. It is imposed upon us by the Legislature, and I don't think it is any great harm or injustice to this lady to ask her to wait seven, ten or fourteen days. On the contrary, I shall he rather disposed to he a little mite suspicious if this is going to he forced through at the eleventh hour. This matter came into the Council only last Monday and a hearing was given Thursday. It is an important matter. I don't think the Council wants to take the attitude of saying that it must he pressed through hefore the memhers of the Council have a chance to review it and examine into it. I hope the time will come when I can vote for this order, but I cannot do it to-day. I am not the entire Council, I have only one vote. I cannot vote for it to-day, and if under the circumstances the gentleman desires to press it he must take the responsihility for his own action. I think the matter should stand over and that we should have a right to examine into it.

Coun. CURLEY—Mr. President, from the communications which accompany the report of the committee and with which I assume Coun. Kenny is familiar, it is evident that there has heen no intention to force this through immediately on its presentation. The communication was addressed to the Mayor and City Council, dated December 1, 1911, and sent to the Mayor's office. That was more than two months ago. So it is not a new matter. The woman's injuries are more than a year old, so that is not a new matter. This communication, hy the way, is interesting, since it discloses the fact that the recommendation was made hy the Fire Commissioner and hy his Honor the Mayor with a view to protecting the city from the possible expenditure of more money than is contemplated in the order, in consequence of the suit. The commissioner's letter, under date of Decemher 1, 1911, reads as follows:

City of Boston,
Headquarters Fire Department,
Decemher 1, 1911.

To the Honorahle Mayor and City Council:

Gentlemen,—I have the honor to bring to your attention the case of Miss Anna Rohertson.

Miss Rohertson was severely injured by the Fire Commissioner's automohile on Septemher 21, 1910. The machine was proceeding from fire headquarters to the residence of the Fire Commissioner in Brighton to take him to a two-alarm fire. While rounding the S-curve on Massachusetts avenue it skidded, went up on the sidewalk and struck Miss Rohertson, injuring her severely.

Miss Robertson was in the hospital for a long period of time. In my opinion she has suffered, through no fault of her own, very serious injuries which the city should properly indemnify in order that justice may be done. I have understood until recently that Miss Robertson preferred to ohtain a judgment in court and take up the matter of settlement after that judgment had heen ohtained. After consultation with her, in order to avoid unnecessary delay of the law and to expedite justice,

I recommend that the city government settle this case at once for a suitable amount.

Miss Robertson has brought suit against the Fire Commissioner and the driver of the machine to the extent of $10,000. She not only suffered physical and mental injury, but she has also been deprived of her savings and subjected to considerable hardship due to delay; therefore it seems proper to me that this case should be settled for a material sum of money, the amount to be decided after investigation by the various authorities whose approval is required.

Very respectfully,
CHARLES D. DALY, Commissioner.

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The Mayor, under date of January 27, sends this communication to the City Council:

City of Boston,
Office of the Mayor, January 27, 1912.

To the City Council:

I transmit herewith a communication from the late Fire Commissioner which sets forth the facts in regard to injuries received by Miss Anna Robertson, as the result of the sudden swerving of a Fire Department automobile as she was proceeding to her home on Massachusetts avenue. Accompanying this letter is a statement from Miss Robertson's attorney, Joseph W. Bartlett, Esq., and a report of her case taken from the records at the City Hospital.

It appears that Miss Robertson has suffered a cruel and perhaps an irreparable injury. She was in the hospital for twenty-three weeks and two days, underwent several severe operations, and is to-day, a year and four months after the accident, unable to take a single step without pain. She is a young lady of exemplary character and was at the time of her accident filling a lucrative position. She has sustained a loss of wages amounting to at least $1,700 and has been obliged to pay a bill of over $500 for treatment at the City Hospital.

It is one of those cases that appeal not only to the sympathies but to the sense of justice of public officials, and I earnestly indorse the recommendation of the late Fire Commissioner that after proper investigation the City Council award her a liberal compensation for the injuries which she has sustained.

Respectfully,
JOHN F. FITZGERALD, Mayor.

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In connection with that bill that the Mayor refers to, I want to say that Doctor McCollom referred to the injustice of compelling that woman to pay that bill while in the hospital, showing me a receipt for $268 that he had collected from her during the course of her treatment at the City Hospital. As to what would constitute a proper investigation, I feel that the report of the City Hospital Department would constitute in the mind of any member of this Board, who cared to look it over, a proper investigation, since it discloses the fact that this woman was examined, not by one physician, but by several physicians. She was treated not by one physician, but by several physicians and surgeons. There is a complete record of the case from day to day and from week to week from the time of her admission to the hospital up to the time of her discharge. I think certainly the recommendation submitted by the Fire Commissioner and by the Mayor, coupled with the recommendation made by the committee, with what has been said of the physical and financial condition of the woman, should warrant the City Council in at least endeavoring to do justice to her.

Coun. KENNY.— Mr. President, I would like to just add a word to what my friend on the opposite side has said. I don't think we need be concerned at all about any ultimate liability here to the city. There is no question about that. There is no liability attaching to the city in this case, and if the member will read the correspondence he will find that the attorney for this woman admits that. Since this hearing was had on Thursday, I have had a call from her counsel, and he has left with me certain papers. Among them was a copy of the record at the hospital, which I have read. I have already said that it appears to be a meritorious case, but I think we ought to be given the opportunity of examining into it. What is the trouble? Why shouldn't we have the opportunity? If we are going to vote away the city's money, are we going to do it with our eyes shut? How are her rights going to suffer if she has to wait two or three weeks more? She would have to wait two years for trial if suit were brought against the commissioner or the chauffeur. As a matter of law, there is no liability here on the city or the Fire Commissioner. That chauffeur was not the employee of the Fire Commissioner; he was an employee of the City of Boston. You might as well look at these facts exactly as they are, and treat them fairly. I think when the time comes the Council will no doubt do justice to the matter, but I don't think the gentleman should insist on action this afternoon. I have not intimated any opposition to the matter. I simply want time to look into it, and I hope the Council will allow me to do so. It is certainly a remarkable condition of things to have a committee's report of this kind come in here at the last meeting of the year, involving several thousand dollars, without giving members an opportunity to look into it. I do not say the committee has been guilty of negligence, but I don't think it is good grace for the committee to insist at this time on the matter being disposed of. In fact, I don't understand that the committee does insist on it, but rather the chairman.

Coun. BALLANTYNE—Mr. President, I think this is a very meritorious case, perhaps one of the most meritorious that has appeared before the present city government. I have no desire to injure this young woman any more than she has been injured already by any delay on the part of this Council. But I agree with the councilor on my right that this is an important matter and that the members should look into it very carefully and see that they make no further mistake in passing this order. There are questions of law involved that some members of the Council would like to consult the Law Department upon. Some of us believe that there is no legal liability on the part of the city. I don't think there is. But there is a moral liability, a moral responsibility, and I believe this is a case that should be handled and settled very generously. But I don't think it is a case that should be rushed through here to-day before the members of the Council have a chance to look into it. As far as I know now, I am heartily in favor of using this young woman right, as far as the city is concerned, giving her ample compensation for the injuries she has received; but I want to be sure we are doing it in a legal way. I sincerely hope the motion to lay the matter over to the next city government will prevail, and I for one, as a member of the next city government, shall urge action upon it at a very early date.

Coun. BUCKLEY—Mr. President, we do not claim that there is any legal liability against the city. We have not said so at any stage. But we have gone on the ground that there is a still higher obligation, a moral obligation, in view of this young woman being maimed for life. There is a statute that gives the city the right to reimburse any official connected with the Police or Fire Departments for any amount of money which they have had to expend in connection with any suit against them because of their carelessness. In that way, of course, if judgment were recovered against the Fire Commissioner and the chauffeur, the City of Boston would under that statute have a right to reimburse those men for the money they have expended. But it is not right to compel this young woman to wait, and it is also, in my opinion, a little bit of an insult to the Committee on Claims, who heard this matter. It seems as though some members of the Council are rather suspicious of the way we rush things through, as they claim. But we certainly heard this case carefully. We are not asking any favoritism, but we believe that our reports should be given the same treatment that the reports of other committees are given and the same weight by this body. I do not know Miss Robertson, more than having seen her before the committee last week, and I don't like to have it said that I am trying to rush the matter through. I am trying to rush it through in one way, simply because I am chairman of the committee and because I believe reports coming from that committee, of which I am chairman, should be given the same consideration that is given to reports of the Committee on Finance or any of the other committees of this Council.

Coun. KENNY'S motion that the matter be referred to the next city government was declared lost. Coun. KENNY doubted the vote and asked for the yeas and nays.

The motion was lost, yeas 3, nays 6:

Yeas—Couns. Attridge, Ballantyne, Kenny—3.

Nays—Couns. Buckley, Collins, Curley, Hale, McDonald, Smith—6.

The question came on the acceptance of the report and the passage of the order.

Coun. KENNY—Mr. President, when the question is put on the order, I ask for a roll call.

Coun. SMITH—Mr. President, I will say that I am going to vote in favor of this to-day, in spite of the request by Coun. Kenny that he be given an opportunity to look into the matter—not because I do not want to grant him the respect that is due to such a request. I do not want to hurry this thing through without giving members time to look into it. I have often stood here and asked the same privilege myself. My position is not taken on that ground. It is because there is some occasion for hurry. This woman has used up all her savings. She has paid money to the city which we had no moral right to take from her, and we want to put her in a good financial condition just as soon as we can. We don't want to make this a matter of public debate or discussion. We want to recognize our moral responsibility. If there were any questions involved here that appealed to me as questions that should be looked into, I would favor granting Coun. Kenny's request. But there is no question of legal liability. There certainly is a moral obligation on the part of the city, and we ought to pass this order to-day.

Coun. ATTRIDGE—Mr. President, I would say that I voted yes on Coun. Kenny's motion simply to give him a chance to look into the facts of the case. I was a member of the committee that heard the facts presented by attorneys for Miss Robertson, and the position I take is because of the moral obligation of the city, and not because of any legal obligation. I am in favor of the city treating the woman fairly and honestly, and I shall ultimately vote in favor of the city recompensing her for the injuries which were caused to her.

Coun. HALE—Mr. President, as I arrived a little bit late for this debate, I don't know whether what I am going to say has already been said or not, but I want to say it. I have gone into the evidence in the case pretty thoroughly and have not the slightest doubt but what if suit were prosecuted by this Miss Robertson against the Fire Commissioner and the chauffeur she would recover a judgment very much in excess of the amount of money proposed to be given to her now. I, for one, think it would be very rank injustice not only to her but to Mr. Daly or the chauffeur to make them, on account of work performed in the course of their duty for the city, take out of their pockets $5,000 or $10,000, which would undoubtedly be the verdict. I do not believe, in the first place, that they ought to be called upon to make any such sacrifice, and I think if we can get a release of all claims by paying over this $4,000 now we certainly should do so. The committee has gone into the evidence very carefully and has reported upon it, and I don't think it can be claimed that there has been any hasty action at all. I hope it will go through to-day.

The order was passed, yeas 7, nays 0.

SALARY OF PROBATION OFFICER.

Coun. CURLEY, for the Committee on County Accounts, submitted a report on communication from Clerk of Municipal Court of City of Boston (referred December 29), fixing salary of Frank E. Hawkes, under the provisions of Revised Laws, chapter 217, section 81, as amended by chapter 332 of the Laws of 1910—recommending the passage of the following:

(Acting as County Commissioners.)

Ordered, That the salary of Frank E. Hawkes, male assistant probation officer of the Municipal Court of the City of Boston, determined by the chief justice of said court at the rate of two thousand dollars ($2,000) per annum, to begin January 1, 1912, be and the same is hereby approved, the amount so paid to be charged to the appropriation for County of Suffolk, Municipal Court of the City of Boston.

Report accepted; order passed.

ORDINANCES.

Coun. McDONALD, for the Committee on Ordinances, submitted the following:

(1) Report on ordinance (referred June 26) establishing a Park and Recreation Department—recommending reference to the next city government with a request that it be taken up and considered immediately.

Report accepted; said reference ordered.

(2) Report on ordinance (referred October 2) concerning the height and weight of firemen—recommending its passage in the following new draft:

(Coun. McDonald and Ballantyne dissent.)

City of Boston.

In the Year Nineteen Hundred and Eleven.

An Ordinance Concerning Members of the Fire Department.

Be it ordained by the City Council of Boston, as follows:

Any person five feet seven inches or more in height and weighing not less than one hundred forty pounds shall be eligible for appointment as a member of the Fire Department of the City of Boston, provided that such person meets the other requirements necessary for such appointment.

The question came on the acceptance of the report and the passage of the ordinance.

Coun. BALLANTYNE—Mr. President, I am not going to take the time of the Council in discussing this question of the height of firemen. I have laid my view before the Committee on Ordinances more than once and don't think it would be of any use to waste the time of the Council to-day going into what I have said to the members of the committee. But I am going to offer an amendment to this ordinance, that the height be changed from 5 feet 7 to 5 feet 6, and the weight from 140 pounds to 138 pounds. I ask that the ordinance be amended in that way.

Coun. SMITH—Mr. President, it seems to me, after the evidence laid before us by Commissioner Daly, that the fifteen largest cities in the country already have an ordinance providing for a height of 5 feet 7 or more, and as this body knows of its own knowledge nothing whatever about the subject, we would be flying in the face of the experience of the whole country in passing anything other than a 5 foot 7 provision. If Coun. Ballantyne has any statistics of places that have ordinances requiring less weight and height, places with an equally large department, I think the Council will be glad to hear them.

Coun. McDONALD—Mr. President, as a substitute motion I move that the order read that the height shall be not less than 5 feet 5 and the weight not less than 132 pounds.

Coun. CURLEY—Mr. President, while I sympathize with Coun. McDonald and will vote that way, I feel that the condition that has obtained in the Fire Department during the last year, as far as the disposition on the part of the commissioner to refuse to recognize civil service rules with relation to height and weight is concerned, will not prevail under the conditions now existing. I believe that that condition of affairs will not become apparent in the department again at any time in the near future, and I would respectfully move that further consideration of the matter be referred to the next city government.

Coun. SMITH—Mr. President, I would like to move that we change the wording of the proposed ordinance so that the height reads, in place of the 5 feet 5 inches suggested by Coun. McDonald, 5 feet, and the weight 100 pounds. I am perfectly serious in that, because some of the most athletic and energetic men I have ever known have been the smallest men I have ever known.

President COLLINS—The Chair rules the gentleman's motion out of order, the motion to refer to the next city government taking precedence.

Coun. BALLANTYNE—Mr. President, the gentleman said that we had had no experience here in Boston with men under 5 feet 7 or 5 feet 6, if I understood him correctly?

Coun. SMITH—Mr. President, I did not make that statement.

Coun. BALLANTYNE—If I misunderstood you, I withdraw the remark. I want to say that in one company of the Fire Department in the City of Boston we have one man who is 5 feet 6 inches and weighs 174 pounds. We have another one who is 5 feet 6 inches and weighs 160 pounds, and one of 5 feet 6 inches who weighs 140 pounds. There is also one 5 feet 5½ inches, who weighs 144 pounds. Those men are in the department in the City of Boston at the present time, and I want to say that one of those men holds a very high position

and is an officer in the Fire Department. He is a lieutenant in the Fire Department, who weighs 174 pounds and who stands 5 feet 6 inches in height. Those men have all given good service to the city, and I believe that a man of 5 feet 6, who is otherwise physically able for service and who passes the civil service examination, is just as good a fireman as the man of 5 feet 7.

Coun. CURLEY—Mr. President, just one word with reference to that motion. I understand that just the same rule that has obtained since the 5 foot 5 schedule was adopted by an act of the Legislature is obtaining in the Fire Department at the present time, and I believe that the Fire Department under competent management will be able to deal with the problems affecting the department in the future, as it has in the past, previous to last year.

Coun. Curley's motion to refer the matter to the next city government was carried.

(3) Report on communication from United Improvement Association (referred October 30) for hearing on extension of building limits—that the same be placed on file.

Report accepted; said paper placed on file.

(4) Report on message of Mayor and letter from Thomas F. Doherty (referred October 30) relative to hearing on ordinance concerning building limits—that the same be placed on file.

Report accepted; said paper placed on file.

(5) Report on ordinance (referred August 22) to prohibit hospitals in a certain district—that no further action is necessary.

Accepted.

(6) Report on order (referred January 29) that no statues, etc., shall be placed in Faneuil Hall until ten years after the death of the person to be commemorated—that the order ought not to pass.

Coun. SMITH—Mr. President, I simply want to say, as far as my order was concerned, that it is the exact request of the Art Commission. Of course, in turning it down you are turning down the exact request of the Art Commission.

The report was accepted and the order was rejected.

(7) Report on message of Mayor, communication from the Fire Commissioner and ordinance (referred April 3) establishing building limits in the City of Boston—that the ordinance ought to pass.

The question came on the acceptance of the report and the passage of the ordinance.

Coun. SMITH—Mr. President, I am going to vote against this because I don't think, after spending all the time the Council has upon the matter this year, we have dealt with it fairly. We have had four hearings and have had every possible chance for opposition. We were asked by the Chamber of Commerce to extend the building limits throughout the whole city; we were asked by the Real Estate Exchange to extend the limits away out into Dorchester; and we were asked by the Mayor to extend the limits over all the three-flat apartment house district. Now, what have we actually done? Of course, East Boston, Charlestown and South Boston are really out of the question. That is to say, nobody has come here objecting with any degree of force to extending the building limits to those three sections. As a rule they are pretty much covered with buildings already. The question comes on extending the limits out into Brighton, Roxbury and Dorchester. After having all these hearings we have extended the limits in that direction in some places only three blocks, and in one case we have only extended it one block, which seems to me a very trivial way to treat the subject. It is an amateurish attempt to extend the building limits. We have not done anything worthy of being called an extension of the limits. We have taken a few blocks here and there and added them to the building limits, and we have taken those sections of the city already covered with buildings, where the question of fire protection does not really arise. I am not going to favor the request of the Chamber of Commerce to take in the whole city; neither am I going to favor their final request of last year to take in about two-thirds of the city. Neither am I going to favor the Real Estate Exchange's suggestion. I am going to be more conservative than all those bodies. I stand here recommending the extension asked for by Commissioner Daly the second time he came before us, which took in the Parker Hill district, running up to Egleston square and following Seaver street and Columbia road down to the harbor line. That extension seems to me a fair extension. It is a compromise measure. It is not nearly what we were asked for by the public bodies. It is only a partial extension. It could very well be supported by the gentlemen who have just been elected for another three years to this body. They went before the people and said they favored a gradual extension of the building limits, and I have no doubt many people voted for them in the outlying districts on that basis, that they favored a gradual extension. It seems to me Commissioner Daly's second plan outlined here is a gradual extension, and I strongly urge the Council to adopt his line this present year, say July 1, instead of taking such an amateurish attitude, and forcing the city next year to again go over the whole matter, to go all through hearings, and get into a turmoil. It seems to me it would be better to adopt the second line suggested by Commissioner Daly. I hope the Council will take that view. I think the pressure which has been brought to bear upon us has been very intelligent. We have been appealed to on the side of argument alone and we have given thorough consideration to it. I think we are all impressed with the fact that the fire hazard is tremendous in the city to-day, away beyond what it ought to be. I sincerely hope the ordinance will not be adopted.

Coun. McDONALD—Mr. President, I am compelled again to say, as chairman of the Committee on Ordinances, to the gentleman on my right here (Coun. Smith) that in my opinion he has again come into the Council here and broken, if you might call it so, an agreement reached by the committee after three or four hours' endeavoring to reach an agreement on the question of extending the building limits. While it is true, as the gentleman says, that the extension as reported is not as large as he or I thought should be reported here, we agreed to accept that section I have just reported, to go into effect July 1, 1912, and submit a still further extension to go into effect July 1, 1914. That report I was intending to make after we act upon this extension that has just now been presented. I thought, as chairman of the committee, and I think every member present thought, that that was satisfactory to everybody present last night. I did not think the gentleman was going to oppose it to-day because he agreed with us. Probably none of us at the committee meeting were satisfied with the conclusion that we came to. I know I was not. But I was willing to have a report made, standing by the conclusions we reached last night, and I am willing to do that to-day. I don't care what is done with this matter, but I think after we have had a meeting three or four hours long and have come to a conclusion and everybody has gone away satisfied, we should come in here and be unanimous instead of attempting the next day to kick over something that we agreed to the night before. It does not make any difference to me, personally. The whole of Charlestown is going to be included. I think and my colleague from Charlestown thinks that it should be included. We are satisfied on that score. I am not looking for votes, not catering to anybody in Dorchester or that section of the city; but I think we ought at least to support the agreement we came to last night, and if that is not satisfactory to the Council I favor sending the matter over to the next city government. But I think we ought at least to stick by our report.

Coun. KENNY—Mr. President, of course the member on my left here from Ward 11 (Coun. Smith) has a right to change his mind, and he has changed his mind evidently. But it seems to me that, having changed his mind, he owed it to his colleagues here to inform them that he had changed his mind, Last night, sitting in the outer chamber, at the meeting of the Committee on Ordinances, he agreed with the rest of us—and it was unanimous—that we should report what is known as Fire Commissioner Daly's first order, which extends the limits to some extent, the change to go into effect on July 1 next. He also agreed that we should report what is understood to be Fire Commissioner Daly's second plan, extending the limits, to go into effect on the first of July, 1914. This is a matter that we spent hours over last night, and I don't think we ought to reopen the subject now. It is going to take a long time to discuss this matter apparently, in view of the change of mind of one member and possibly of others. Therefore, I think it would be the best and wisest thing to turn this whole thing over to the next City Council. If the chairman of the Committee on Ordinances makes that motion, I shall vote for it—that we refer this entire subject to the next city government. Unless we can

come in here after we have agreed and respect our agreements, unless we can perform our duties here seriously, we are going to have chaos. I do not criticise the memher for changing his mind. He has a perfect right to change his mind. But I think he should have notified us of his change.

Coun. CURLEY— Mr. President, I desire to amend the report of the committee by providing that in 1917 — that is, five years from now — the fire limits be extended in a circle one-half mile around the entire present fire limits; that in 1922, five years later, they be extended in another half mile circle; and that in each succeeding five years the same rule he adopted. That appears a little amusing to my friend from the Back Bay on the other side of the Chamber (Coun. Smith), hut perhaps fortunately children are sometimes easily amused. They seldom look heyond the surface. I feel that there is considerable food for thought in this proposition. In the first place, taking the three-decker houses so called in the Dorchester, West Roxhury and Roxbury districts, such a house heing regarded as a fire menace hy some, it appears upon examination of the facts that the percentage of actual loss hy fire is greater in the business districts where the houses are constructed of hrick, stone or concrete, fifty times over than it is in the tenement district where we find three-decker houses, in any given year, even as far back as the Boston fire. The three-flat house, to which the Chamber of Commerce takes umhrage at the present time, has heen a blessing in disguise, even although the Chamber does not feel that way ahout it, for this reason, that the average man who is interested in real estate does not put up property wlth a view to henefiting the community. He is not animated by the henevolent spirit of the brotherhood of man and the fatherhood of God. He is engaged in husiness as a matter of dollars and cents, a matter of profit, and if the only buildings that had been constructed in the last five years in this city were single family dwellings or two-story dwellings, constructed entirely of brick, stone or concrete, it would have heen an impossibility for the average working man to-day to enjoy the henefits and advantages that are to be found in the so-called horrihle three-flat structures. A three-flat house, as a rule, has abundant light, is provided with a bathroom of reasonahle proportions, has gas or electricity and all the accommodations that to-day are found necessary in this progressive age. The three-flat house has made it possible for the real estate man to secure a reasonahle rcturn on his investment on the one hand, while on the other hand providing suitable accommodations for the people who demand houses of that character. Now, then, Mr. President, what is the purpose of the city government? It is not, as I understand it, to work an injury to any person who has property that he desires to develop, for every bit of development that takes place only adds to the income of the City of Boston in taxahle valuation. It is proposed by this ordinance that has heen submitted to divide East Boston and to make a portion of East Boston a part of the fire district. There are great areas of undeveloped land in East Boston that are gradually filling up to-day with the two and three-flat type of construction. They are adding to the assessed valuation of property in that section of the city; they are adding to the revenue of the city, and in addition are providing proper accommodations for the people who require suitahle dwellings in which to reside. Now, if you provide an additional half mile radius every five years, you do what? You compel the owner of vacant land to take advantage within five years of his opportunity to construct wooden huildings on that land, or at the end of five years you make it impossihle for him to construct wooden buildings upon that land, and every five years that the radius is extended you add to the value of property in the city, you increase the revenue of the city, you add to its income. You place within the reach of the workingmen in this city the character of accommodation in the line of a house that is necessary. No real estate man will contemplate for one minute putting $4,500 to $6,000 in a single family, brick, stone or concrete dwelling that will net only $25 a month. That would he no return on his investment. It would represent perhaps a little hetter than 2 per cent, whereas in the three-flat house, by an expenditure of from $7,000 to $9,000, he has an income in the vicinity of $90 a month and gets a decent return on his investment. I sincerely trust that the City Council will do one of two things,— that it will either refer this entire matter, which is a large matter since it affects the well-heing, comfort, convenience and happiness of many persons in this city, as well as affecting the income of the city treasury of Boston, to the next city government for proper consideration, or adopt an order providing for an extension of the fire limits hy a half mile radius every five years.

Coun. McDONALD—Mr. President, it is rather a unique thing to-day for the chairman of a committee which has made a report to move its reference to the next city government, unless it is prearranged. But I am now going to make a suhstitute motion—that the entire matter be referred to the next city government.

President COLLINS—The Chair will rule that that motion takes precedence over the preceding motion, under parliamentary practice.

Coun. SMITH—Mr. President, I want to say just one word. I don't think we are any of us talking about the huilding limits. But last night we agreed on a compromise which left us all unsatisfied, like most compromises. Instead of going away from the meeting satisfied, as the chairman seemed to think, I, for one, went away distinctly dissatisfied: and I did change my mind on thinking it over. I came to the conclusion that we had made a bargain that didn't give any real satisfaction to the city in the way of the extension of huilding limits, and I came to the Council here to-day late in the meeting and had the maps suhmitted to me, and I spread one of the maps out on the tahle in the other room and showed Coun. Attridge, who was not here last night, that I intended to stand for that second plan submitted hy Commissioner Daly. I spread the map out and said the same thing to Coun. Buckley. I knew it was of no use to talk with Coun. Kenny, because he is not in favor of any extension, so far as I can find out, of any size; and I knew it was of no use talking to Coun. Ballantyne, because he believes personally that a wooden house is more comfortahle than a brick house. He stated so at the meeting last night, and doesn't favor any extension at all as far as I can find out. I knew it was of no use talking to Coun. McDonald, hecause he was with me.

Coun. CURLEY—For the first time in his life!

Coun. SMITH—Therefore I felt, as I had reached the meeting late, that I had done everything necessary in stating my change of opinion. Perhaps I did not do all that was necessary, but I certainly undertook to do it conscientiously. I believe where we extend the building limits in one spot only a hlock and in other spots only three blocks, in the places concerning which the discussion has heen, out toward Roxbury, Brighton and Dorchester, we are doing a very amateurish joh and doing it after a great deal of time and patience has been spent in considering the matter. We have heen a number of times over the different districts, looking at them; in automobiles, and have sat in committee during four long hearings. If we put it over to the next city government we will prohahly have to go through the whole procedure again. We have given everyhody an opportunity to come in. We have found nobody ohjecting within the line that has heen suggested by Fire Commissioner Daly's second plan, as far as I know, excepting Mr. Delano, who, of course, is interested in land up at Upham's Corner. The line runs through Upham's Corner, and I don't know on which side of the line his land lies. But it seems to me that we should not hold up what is necessary for the fire protection of the city when we are years behind any other great city in this country, simply hecause of the ohjection of one man, and I feel that in changing my mind from the agreement that we came to last night and notifying the councilors that I did I acted in perfect good faith.

Coun. KENNY—Mr. President, the memher from Ward 11 on my left (Coun. Smith) says there was no use in speaking to me of his change of mind, because, as he stated it, I am not in favor of any extension to speak of. If I am not reporting him correctly I hope he will at this time set me right.

Coun. SMITH—Mr. President, I think that is an exact statement of what I intended to say and did say.

Coun. KENNY—Then, Mr. President, I desire to say that that statement by the memher is without foundation, and it shows a carelessness and a recklessness in drawing conclusions that are hardly commendahle in a memher of this body. No word has ever passed from my lips which would warrant that statement. On the contrary, I have stated

publicly and privately that I believe in a gradual increase in the fire limits, and when he states, as he does state here, that I am not in favor of an increase of any kind——

Coun. SMITH—Mr. President——

Coun. KENNY—I want him to consider seriously just what he stated and what he means by it.

President COLLINS—Will the gentleman yield?

Coun. KENNY—No, Mr. President. I want him to consider what he meant by that statement, and if it was a conclusion of his based on a statement of mine, what statement it referred to. When I have heard from him upon that I will proceed with what I have to say.

Coun. SMITH—Mr. President, we had a committee meeting last night called for 7.30 o'clock. At about eleven o'clock we took a vote on this subject. During all that time Coun. Kenny, of course, was discussing the matter with the rest of us, and he distinctly time and time again refused to consider Commissioner Daly's second plan for an extension of the building limits this year. That second plan proposes a very small increase in the fire limits, a very small increase. The plan which he finally agreed to, as I have pointed out, in some cases means an extension of only a block, and in other cases only three blocks. I think, therefore, I am justified in saying that it was useless to talk to Coun. Kenny, because he was not in favor of any considerable increase worth mentioning. He now says he is in favor of a gradual increase. Well, I have granted that; I have never said he was not. I know he said that on the stump and I know he sticks to his statements; but "gradual" is a word of considerable latitude. The extension of a block is an extension, but it is altogether too gradual to suit my mind. But it is altogether in keeping with what I have said about his ideas—that his conception of a desirable increase meant one so gradual that it would not mean any considerable extension of the fire limits. That is all that I have stated about him, and that is, I think, literally true.

Coun. KENNY—Now, what does the gentleman do? He goes to the members who are not present and tries to persuade them to his views, as he now exhibits them. He does not go to those of us who were present, with whom he made a compact and agreement, but he disregards his agreement, he repudiates it. His excuses are altogether too thin, Mr. President. I don't take any stock in what he is talking about now, and I don't think any of the other members do. He has not been fair in this matter. That is the fact, and we all know that he has not been fair. I want to leave it in just that way on the record.

Coun. McDONALD—Mr. President, I just want to say another word. I wish also to say that I don't think the gentleman has been fair with the committee. As Coun. Kenny says, he consulted Coun. Attridge, who was not present. Then he went and talked with Coun. Buckley, who was not present. Then he tries to say that I was with him, any way, that I believed as he did, and he did not consider it necessary to even talk with me—and I am chairman of the committee. He did not tell me anything about his change of mind. He says he went away dissatisfied. Well, if he did, nobody present thought he was dissatisfied. I thought everybody was satisfied, and there was no doubt in my mind that everybody was satisfied. I did not agree with the report, and I told the members so; but I told the members that I would submit the report and stand by the agreement; and he did not say that he was not going to stand by the agreement, that he reserved the right to come in here the next day and change his mind. We stayed together an hour after we left City Hall, and he never mentioned it, and he did not mention it to me this morning. I don't think he has acted fairly. He tries to tell us about extending the limits a block. Well, all Charlestown is included in the limits, as reported here, and there is more than a block in Charlestown. But if he wants to try to have us believe that there is no other section of Boston except Dorchester and West Roxbury, I will agree with him that in places the limits are extended only a block. But I live in a section that is more than one block or three blocks long, and the whole section is included, being put into the limits. In my opinion, no matter what the report was—whether he thought the limits were not being extended far enough or otherwise—because of our struggle to make some kind of a report that we thought would be satisfactory to everybody interested, he should at least have stood by the agreement he made with the other members of the committee to make that as a report of the committee.

President COLLINS—The Chair respectfully suggests that the question before the Council is whether or not this report shall be referred to the next city government, not as to the attitude of this or that member.

Coun. BALLANTYNE—Mr. President, I want to say just a word. Coun. Smith was absolutely correct when he made the statement that I thought a wooden building much more comfortable than a brick building to live in. That is my personal view, and if I were studying my own personal comfort I would advocate wooden buildings throughout Boston, but I am not here to advocate my own personal comfort. I am here to advocate that which I consider is best for the City of Boston; and I have stated publicly and privately, have stated to all the improvement associations in Boston through their journal, that I was in favor of a gradual extension of the building limits. I was in favor of that extension last night. I was not in favor of the second extension, but I agreed on the compromise, to let that go into effect two years from next July. I am still of the same opinion, that a gradual extension of the building limits ought to be made in Boston. But I am not in favor of sending the whole matter over to the next city government, so that we will have to thrash it all over again.

Coun. SMITH—Mr. President, I do not want to do anybody an injustice, but my distinct understanding of last night's meeting is this—and it again only illustrates the difficulty, to which I have to refer at about every meeting, of doing these things in committees where no stenographic reports are made. I understood that the chairman was absolutely in favor of making one jump and taking in the whole city. I think he stated it in those words, that he favored taking in the whole city; and when we agreed on this compromise he distinctly stated, I sitting next to him—it seems to me he distinctly stated in committee that he reserved the right to put in a minority report.

Coun. McDONALD—No such thing.

Coun. SMITH—If I am wrong, the gentleman may correct me, but I have a recollection of his saying that not only once but several times. Therefore, it seems to me no great harm has been done when I tell two members of the committee that I have changed my mind. Certainly I have a right to change my mind. It seems to me that I conceded altogether too much last night, and that this so-called extension of the building limits is really no extension of the building limits. It is an extension that is not concerned with the fire risk. What we have done does not meet the danger from fire. We have extended the limits where the buildings are already up. What Coun. Kenny, Ballantyne and Curley are favoring is extending the building limits gradually, just fast enough to allow the builders always to have the land covered by the time the ordinance reaches them. They just use the word "gradually" to help out their friends, the builders and speculators in land, so that by the time the limit gets there, to the half mile circle, the land is all covered with the fire hazard type of building.

Coun. CURLEY—I might suggest to Coun. Smith that he might include a reference to the persons who are to occupy those buildings, in order to be fair.

Coun. KENNY—Mr. President, I am not going to sit here and allow my position to be distorted in this matter, and, for the purpose of getting it on the record, I shall state it again. I last night voted for what was understood as Commissioner Daly's first extension, and I think my friend from Ward 11 (Coun. Hale), who sits on the other side of the chamber, will do me the justice to say that I was one of the active members last night who did show some desire to compromise this matter and to yield something, and I think I brought about the compromise. Certain of the members were not willing to go beyond that. They did not want to go beyond the extension suggested by Fire Commissioner Daly's first plan. I was the one who suggested that we go to the second plan, as stated on this map, July 1, 1914, and in justice to myself I would ask my friend, Coun. Hale of Ward 11, if I may mention his name, to state whether I am stating the facts in that connection or not.

Coun. HALE—Mr. President, I hate to take part in this discussion; I hate to have any discussion about it. The way I understood the situation last night is this, that there were devel-

oped at the hearings two quite distinct ideas on the matter of fire limits. One set of us, consisting primarily of Coun. Smith and myself, favored extending the fire limits to the area I believe called for in Plan 2, which was Commissioner Daly's second ordinance, and which took in parts of Roxbury and Dorchester, all of South Boston and Charlestown. On the other hand, there were certain other members of the committee who thought that would be too rapid an advance and who favored the adoption of what we call Plan 1, Commissioner Daly's first ordinance, which took in a smaller part of Roxbury, half of South Boston, half of East Boston and Charlestown. We spent about two or three hours trying to persuade the other members of the Council that we were right, and they spent two or three hours trying to persuade us that they were right. Then a compromise came about. As I said before, I would rather have had the area extended to what I call Plan 2, but I should rather get something than nothing. For that reason I was willing, and would have been willing to-day, was prepared to-day, to accept as a compromise measure the plan which I think was proposed by Coun. Kenny —at any rate it was advocated by him,—which was to put Plan 1 into effect July 1, 1912, and Plan 2 into effect July 1, 1914. As I said before, that did not go as far as I think it ought to go, but I would a great deal rather have some advance than no advance. I see now that we shall get no advance in this city government this year. I regret it extremely.

Coun. McDONALD—Mr. President, I want to say just one word, in order to get it on the record. If I said last night that I reserved the right to present a minority report, I must have said it while I was asleep on the sofa before the meeting started, because I never said any such thing when I knew what I was talking about and did not propose to present a minority report. Coun. Hale, Smith and I were in the outer room and discussed the thing, and Coun. Hale said to me, "Well, why don't they accept our proposition, to go into effect two years from now? Then we can agree on something so that we will not have to talk to-morrow and take up the time the last day of the city government in chewing the rag." That was our proposition, and I went in there and suggested the compromise. The other three gentlemen got together and accepted it, and we were all satisfied. That is a true statement of the situation, and no other statement than that can be made, because that is the condition that existed there last night. That is the agreement we came to. I am not going to discuss the matter any more, because I feel that I am right, and there is nobody who can tell me that I am not right.

The motion to refer the matter to the next city government was carried.

(8) Report recommending that Plan 2, so called, be adopted, said plan to take effect July 1, 1914, viz.:

PLAN 2.

The building limits referred to in section 18 of chapter 419 of the Acts of the year 1892 are established as follows:

City Proper, South End, Roxbury, Dorchester and South Boston.

All that portion of the city which is included within a line beginning at a point on the United States pier and bulkhead line on the southerly side of Charles river at its intersection with the easterly line of Ashby street; thence southerly along said easterly line of Ashby street to Commonwealth avenue; thence across Commonwealth avenue to the southeasterly corner of St. Mary's street; thence along the boundary line between Boston and Brookline to the center of Huntington avenue; thence along the center line of said Huntington avenue to its intersection with the center line of South Huntington avenue; thence along the center line of South Huntington avenue to its intersection with the center line of Heath street; thence along the center line of Heath street to its intersection with the center line of Columbus avenue; thence along the center line of Columbus avenue to the center line of Seaver street; thence along the center line of Seaver street to its intersection with the center line of Blue Hill avenue; thence along the center line of Blue Hill avenue to its intersection with the center line of Columbia road; thence along the center line of Columbia road to its intersection with the easterly line of Old Colony avenue; thence by a straight line to the nearest point on the United States pier and bulkhead line in Dorchester Bay; thence along said pier and bulkhead line on the southerly and easterly side of South Boston to its intersection with the United States pier and bulkhead line on the southerly side of the Reserved channel, so called; thence across said reserved channel by a line at right angles to said channel to a point in the pier head line on the northerly side of said channel; thence easterly by said pier head line to the pier and bulkhead line on the northerly side of the South Boston flats, so called; thence along said pier and bulkhead line to its intersection with the northerly line of Northern Avenue Bridge; thence along said northerly line of Northern Avenue Bridge to its intersection with the pier head line on the westerly side of Fort Point channel; thence along said pier head line around the northerly portion of the city to point of beginning.

Charlestown and East Boston.

All that portion of the City of Boston known as Charlestown.

All that portion of the City of Boston known as East Boston except the portion known as Breed's Island.

The above limits being shown on a plan dated, signed by F. O. Whitney, Chief Engineer, and deposited in the office of the Street Laying-Out Department.

In connection with the report was the following resolution:

Resolved, That the City Council is in favor of legislation requiring:

First. Fireproof roofs on all new buildings throughout the metropolitan district, and on all old buildings which are reroofed.

Second. At least a 5-foot set-back from the lot line on all new wooden buildings throughout the metropolitan district.

Resolved, That the Committee on Legislative Affairs, when appointed, be authorized to appear before the Committee on Metropolitan Affairs to advocate the passage of such legislation.

The report and resolution were referred to the next City Council.

REFERENCE OF UNFINISHED BUSINESS.

Coun. KENNY offered an order—That all matters of an unfinished nature in the hands of the several committees of this City Council be referred to the City Council of 1912.

Passed.

COPIES OF CITY COUNCIL MINUTES.

Coun. McDONALD offered an order—That the City Messenger be authorized to cause a sufficient number of the City Council Minutes for 1911 to be bound in the usual manner, and to supply each member of the City Councils of 1911 and 1912 and each of the heads of the several city departments with one copy of same, also the usual number of copies for the Boston Public Library; the expense incurred for said binding to be charged to the appropriation for City Council, City Council Proceedings.

Passed.

PRINTING OF CITY DOCUMENTS.

Coun. McDONALD offered an order—That the City Messenger be authorized to supply each member of the City Council of 1911 and 1912 and each of the heads of the several city departments with one set, and the Boston Public Library with the usual number of sets of the city documents for 1911 when completed and bound.

Passed.

PRINTING OF MR. PURDY'S REMARKS.

Coun. SMITH offered an order—That the remarks of Lawson Purdy on the subject of method of assessing, delivered February 1, before various bodies of city officials, be printed as a public document to the number of 300 copies; the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

INFORMATION CONCERNING COMMISSIONER DALY.

Coun. SMITH offered the following:

Resolved, That inasmuch as the City Council shares the responsibility with the Mayor for all loans and appropriations, it desires more detailed information concerning the removal from office of Fire Commissioner Daly in order to avoid all possibility of a deadlock over the coming budget for the department.

Coun. KENNY—Mr. President, I move that this resolution lie on the table.

Coun. SMITH—Mr. President.

President COLLINS—On the motion to lay on the table no debate is in order.

Coun. Kenny's motion to lay Coun. Smith's resolution on the table was declared carried.

ARLINGTON STREET EXTENSION FAVORED.

Coun. SMITH offered the following:

Resolved, That the Council of the City of Boston strongly urge the passage of a bill to be introduced by Coun. Smith for the extension of Arlington street to Columbus avenue, under the new constitutional amendment, with the taking of building lots 100 feet deep on either side of said extension.

Coun. Smith and Kenny addressed the Chair and Coun. Smith was recognized.

Coun. SMITH—Mr. President, I am very sorry to be obliged to make Coun. Kenny forego the pleasure of asking that this be laid on the table. I realize that he must be very hungry. But I do think that this matter deserves some consideration. The Council of the City of Boston, in opposition to the Chamber of Commerce, in opposition to the Metropolitan Improvement Commission, in opposition to the Real Estate Exchange, in opposition to his Honor the Mayor, has decided that it will not vote to extend Arlington street to Columbus avenue under the order sent in by his Honor the Mayor. In doing that the Council is decidedly against the entire community, with the exception, so far as I know, of one man, that man being the head of the Finance Commission. If that is to be our attitude, if the city government is to block a great public improvement which is of interest to the whole city and not to the locality merely, let us put this matter squarely under the amendment to the constitution, which went into effect last fall. Let us take lots adjoining on either side and pay for the improvements, just as they have done in London and some of the German cities. That is why the Commonwealth voted that cities in this state could do that. This exactly meets the conditions that that amendment was intended to meet. In putting a great big thoroughfare through the city we can buy the land on either side and through the increased value to the adjoining land, brought about by the thoroughfare, pay for the thoroughfare.

Coun. CURLEY—Mr. President, I rise to a point of order. This Council has no right to anticipate something that has not yet taken place. There is no constitutional amendment that has been presented by Coun. Smith. He simply anticipates presenting it and this resolution anticipates something being presented. But, as a matter of fact, it has never been presented.

President COLLINS—The Chair will rule on that point of order that it is well taken, no specific bill being set forth, and the Council not knowing what it is to be committed to, and accordingly the Chair rules the resolution out of order.

Coun. SMITH—Mr. President, of course Coun. Curley——

President COLLINS—The gentleman is not in order.

Coun. SMITH—Well, Mr. President, I think there is a mistake here. May I be allowed the courtesy of the body to explain?

President COLLINS—By unanimous consent you will be allowed the courtesy of making a statement.

Coun. SMITH—Mr. President, I have not intended to present any amendment. I think Coun. Curley must have been in Washington so long that he does not realize that the State of Massachusetts has passed the constitutional amendment. The state constitution has been amended and the City of Boston has the right to act under that amendment. But I am not suggesting any amendment. I am suggesting that we act under the new power granted us to drive a highway through our city, taking the land on either side and thus paying for the highway. That will be done under a constitutional amendment that has been adopted in the State of Massachusetts—nothing that I am responsible for, whatever.

President COLLINS—The question comes on asking the Council to indorse a prospective bill that is not in existence. That is the seat of the difficulty.

Coun. CURLEY—Mr. President, I would ask for information, for the benefit of Coun. Smith, that the order be read as presented by him.

The Clerk read the order.

Coun. SMITH—Mr. President.

President COLLINS—There being no objection, Coun. Smith may have the floor to make a statement.

Coun. SMITH—Mr. President, simply on the point of whether the bill is before the Legislature or not. The time expired for introducing bills into the Legislature before this Council took its action against Arlington street. Therefore, there was no opportunity to introduce a bill, and any bill which I introduce now must be introduced under permission of the Legislature. That is why the bill is not now in. The bill has been written and will be presented to the Legislature, and if I can get them to allow it to go in it will be before them.

Coun. CURLEY—Mr. President, I would just like to ask Coun. Smith if his bill has been reported on and acted favorably upon by the Legislature?

Coun. SMITH—Mr. President, every bill we have ever advocated here has had a hearing upon it and has been reported on.

Coun. CURLEY—Mr. President, I would say that my question is a simple one and can be answered yes or no. Has the bill providing for the taking of land in connection with Arlington street extension been presented to the Legislature, referred to the committee, reported and acted upon favorably by both branches—yes or no?

Coun. SMITH—Mr. President, as this is not a court of law my answer will not be yes or no, but I will answer the question squarely. There has been no opportunity to get the bill in. Therefore, the bill is not before the Legislature, but it has been drafted. There was no opportunity to take action in the matter before, because the Council did not take action on Arlington street until after the time for introducing bills had expired. But as this is a matter which affects Boston there will be no objection on the part of the Legislature to the introduction of the bill, none whatever. A large number of bills are introduced in the Legislature after the time has legally expired for putting in bills.

PARKMAN HOUSE FOR SCHOOL COMMITTEE.

Coun. SMITH offered an order—That the City Treasurer be authorized to convey to the School Committee for office purposes the Parkman house on Beacon street at a net price of $70,000, provided they agree to maintain a front, ground floor room as a suitable memorial to George F. Parkman.

President COLLINS declared the order referred to the Committee on Parkman Fund.

Coun. SMITH—Mr. President, I have introduced this order because the School Committee's present quarters are very much cramped, and they have been looking about for new quarters for some time. They are not going to be in the new City Hall Annex, as I understand it. It seemed to me—in fact, one of the members intimated to me—that the Parkman house would be a good place for them. It will be convenient to the Park Street Station and at the same time will keep in the city's control the Parkman house for purposes of a memorial. As the order provides, a part of the house could be set aside as a memorial to Mr. Parkman. I move a reconsideration of the reference.

Coun. KENNY—Mr. President, I sincerely trust that the reference will not be reconsidered. That is a matter, it seems to me, which requires considerable investigation and examination before we can take the action contemplated there.

Coun. SMITH—Mr. President, of course the matter has been up before Coun. Kenny's committee on Parkman Fund this year and thrashed out there, and I believe their action, as ratified by the Board, was not to sell the Parkman house for $69,000, or thereabouts, because the committee felt, and the Council agreed with them,

that the house should be in some way a memorial to the late Mr. Parkman. This order provides for a memorial to him and also permits of the house being kept by the city for active city purposes. I think it would make an excellent place for the School Committee. In fact, one of the members has said so to me himself. Of course, the only reason why I have asked consideration of the matter at this time is that the new committee will soon be appointed. I don't know whether Coun. Kenny will be chairman of that committee or not. At all events, as we have already passed upon the matter this year, I don't see why we cannot take this up to-day and settle it.

President COLLINS—The Chair would respectfully state that this is a type of order that requires two readings, Coun. Smith, and could not be finally acted upon to-day. If it should go over for two weeks, a new government coming in the meantime, there would be a question as to the validity of the same.

Coun. KENNY—Mr. President, I was engaged in consultation with the member from Ward 17 (Coun. Curley) when the member from Ward 11 (Coun. Smith) was speaking, and I did not hear what he was saying. That may be my misfortune. However, I shall try to survive it. I do want to say this, that the committee recommended in its report that a conference be had with the Finance Commission and the Mayor, as I recall it, as to the final arrangement for the utilization of this property. The Mayor has not yet called a conference between the Finance Commission and the Committee on Parkman Fund, and certainly until we hear from the Mayor on that matter it would be the height of wisdom of a peculiar nature to take this action. I sincerely hope the reference will not be recalled.

Coun. CURLEY—Mr. President, I confess that I agree with Coun. Smith on this proposition. The question of maintaining the Parkman building as a permanent memorial to such a munificent benefactor of the city as was Mr. Parkman must appeal to every member of the Board, and I believe it does. The only question is as to the policy of acting immediately upon it. I believe the chairman has ruled, and ruled rightly. The only departments that might properly be considered as ones to be placed in charge of this building are the departments that deal with the expenditure of the Parkman Funds—that is to say, the Park or the Public Grounds Departments. But the Park Department has splendid quarters at Pine Bank, at Jamaica Pond, and the Public Grounds Department has excellent quarters on West Cottage street, in Dorchester. In view of the cramped condition of our school headquarters, I feel that it might be a splendid idea, both from the educational standpoint and that of doing justice to such an excellent benefactor, to have the building maintained as suggested by this order. I would move its reference to the next city government and trust that there might be speedy action upon it in the next city government. It would then be taken up without reference to a committee.

Coun. SMITH—Mr. President, I have no objection to that myself. But I think there is a little misapprehension here. I did not intend that the School Department should have the entire house to occupy as a memorial, but simply one room in the house, the rest to be used for the purposes of the School Department. Of course, it will be necessary, in the interests of the treasury, to do something with the house if it is not earning anything for the city. If something is not done, we may be obliged to sell or lease it in the near future. I have no objection to the gentleman's motion, at all.

The motion to reconsider was lost, and the order stood referred to the Committee on Parkman Fund.

Coun. CURLEY—Mr. President, I rise to a point of order, that the matter pending has not been disposed of. The question of reconsideration has been disposed of, but the matter of reference has not been acted upon.

President COLLINS—Reconsideration having been refused, the order stands referred to the Committee on Parkman Fund.

PRINTING OF CLOSING PROCEEDINGS.

Coun. BALLANTYNE offered an order—That the closing proceedings of the City Council of 1911 be printed as a city document, and that the Superintendent of Printing be directed to have copies thereof printed, containing the members' portraits and a group picture of the members and officers of the Council, and to distribute said copies and copies of said picture among the members of the City Council, the expense incurred to be charged to the appropriation for City Council, Incidental Expenses.

Passed.

RECESS TAKEN.

The Council voted at 2.39 o'clock p. m., on motion of Coun. ATTRIDGE, to take a recess subject to the call of the President.

The members reassembled in the Council Chamber and were called to order by the President at 3.06 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. ATTRIDGE, for the Executive Committee, submitted the following:

(1) Report on resolve (referred January 29) in favor of House Bills Nos. 599 and 1058, extending the application of civil service laws to the Collecting and Treasury Departments of the City of Boston and to the Penal Institutions Department of the City of Boston—that the resolve ought not to pass, and that the opinion of the Corporation Counsel on the same be printed in the minutes of this meeting.

Report accepted; resolve rejected.

The opinion was as follows:

City of Boston,
Law Department, January 31, 1912.

John F. Dever, Esq.,
Clerk of Committees:

Dear Sir,—I return herewith papers sent to me by you. In reply to the request of the committee for my opinion I would say that the resolution as presented by Coun. Smith indorsing House Bills 599 and 1058 and ordering the Legislature to pass the same is not legal. Mr. Smith or any individual member of the City Council has a perfect right to go to the Legislature or any of its committees individually or collectively and indorse or oppose any bill or act pending before that body. The City Council has no authority under the city charter to go to the Legislature as the City Council of Boston and oppose or favor anything. Under the statutes and ordinances the Corporation Counsel under the direction of the Mayor is to represent the City of Boston in all matters pending before the Legislature.

Yours truly,
THOMAS M. BABSON,
Corporation Counsel.

(2) Report on message of Mayor and communication from Commissioner of Public Works (referred October 30) relative to appropriation of $75,000 for incinerator in Brighton—recommending reference to the next city government with a request for immediate action on the same.

Report accepted; said reference ordered.

(3) Report on message of Mayor, communications and order (referred January 29) canceling accounts for insane patients from February 1 1895, to January 31, 1906, inclusive, amounting to $31,295.08—that the order ought to pass.

Report accepted; order passed.

(4) Report on message of Mayor, communication and order (referred January 11) that the sum of $72,000, which was paid to the city for the property in the Charlestown district known as the Charlestown Almshouse, be and hereby is appropriated, to be expended by the Boston Infirmary Trustees, for "Long Island Kitchen, Refectory and Dormitory"—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

ABOLITION OF COMMITTEE.

Coun. SMITH offered the following:

Resolved, That it is the opinion of the City Council that the Committee on Legislative Affairs for the municipal year 1912 should be abolished.

Coun. SMITH—Mr. President, this is based on a letter from Corporation Counsel Babson which we received to-day. As under his opinion there is no need——

President COLLINS—The difficulty which the Chair has in entertaining this resolution, Coun. Smith, is that there is no Committee on Legislative Affairs of 1912 at present.

Coun. SMITH—Mr. President, I would like to have this referred to the next city government.

The resolution was referred to the next city government.

CLOSING PROCEEDINGS.

Coun. CURLEY offered the following:

Resolved, That the thanks of the City Council be extended to Walter L. Collins for the able manner in which he has presided over the meetings of this body for the municipal year of 1911.

The question came on the adoption of the resolution.

Coun. CURLEY—Mr. President, in retiring from membership in this body, where it has been my pleasure to serve for the past eight years, I want to say that I do so with a full realization of the great pleasure that will be denied me in the future. I have enjoyed the meetings under the present system fully as much as in previous years, when the Board was larger in membership. The thought occurred to me that it might be well to say a few words in retiring, other than words of eulogy of the members associated with me in this body, which might perhaps embody in some degree the thoughts that come to a man through service in a body of this character. The problems of municipal development confronting cities upon the Atlantic seaboard are of such a complex character, and their solution involving as it does great expense and wise judgment, makes it, perhaps, fortunate in a measure that the term of membership in this City Council is such that new men will not he called upon to pass snap judgment upon weighty propositions whose ultimate and proper solution means so much to our fair city. The value of city planning is perhaps nowhere better attested than in the system of playgrounds and municipal buildings found in Boston, which contribute so materially to the health and well-being of all. What in the past has been unheard-of profligacy of the state in the building of highways and the extension of the park system is to-day regarded as ripe judgment, constituting as they do our chief asset. A great truism uttered by a really great man was that ascribed to Hon. Patrick A. Collins, when he declared that it was almost time Boston should cease doing all its business in three acres. An equally great truism is that trade follows the line of least resistance, and in this particular I desire to commend the Council for its recent action in refusing to countenance a usurpation of its powers because of possible duress. At the same time I call attention to the necessity for favorable action at what in my opinion is the psychological time to extend the business district from three acres to possibly many thousands of acres. Were I present at the meeting of the City Council I should have acted precisely as did Mr. Kenny, and were I a member during 1912 I should not only vote but speak in favor of the proposition for I feel it to be a great error to permit a possible $200,000 excess payment prevent even temporarily a development that may in five years represent fifty million dollars of increased valuation to our city. In this connection I want to point out the fact that the city has authorized the expenditure of a million dollars or thereabouts for the widening of Pleasant street. The widening of Pleasant street means the extension of the business section of the City of Boston. By carrying it along on proper lines, the matter of making proper, just and necessary expenditures for public improvements carried on with a view to the future, is a work to which the City Council has given its attention and a work that previous City Councils have permitted to go by default. In consequence of their default and in consequence of the conditions that have presented to the City Council since the city was chartered, because of the old system under which the system was laid out, under which the city developed and under which it stagnated from a business standpoint, the city has been continually confronted with the problems I have suggested and has given them scant attention. In few, if in any, cases has proper consideration been given to the necessary, proper and businesslike development of the good old City of Boston. The western cities and the southern amd northwestern cities have had an opportunity to improve through the mistakes made by our forbears, and when they have laid cities they have laid them out with broad highways radiating from a common center. They have had the opportunity by the expenditure of a small sum of money to make what is possible to us only by what seems an extreme expenditure of money. In this connection, while I have no regard for the corporation which controls this particular property, I would say that I nevertheless recognize the fact that in a sense it is a conjunctive proposition with Pleasant street, that in a measure they are coordinate in the development of that section; and when one considers the possible real estate development that may ensue in consequence of that extension, I believe the future will justify the course of members of this Board in putting through this proposed improvement. I recognize the fact that perhaps my friend on the other side of the Chamber, in his zeal to force through this proposition, and the Chief Executive in the corner down stairs, in his zeal to force it through, instead of assisting have rather retarded progress; but I still believe and hope that the City Council of 1912 will recognize the absolute necessity of assisting in the carrying on of the development of that section of the city which means so much to the entire city. In this connection I desire to point out the splendid opportunity for constructive statesmanship made possible by the entry of the Grand Trunk Railroad, the addition to our transit facilitics made possible by the construction of the Boston Elevated Railway, the appointment of a Dock Commission and a renewed interest in harbor development are all subjects worthy of serious thought and deserving of assistance. The fallacy of the protective system in its application to our northern and southern neighbors is becoming recognized, and the opening of the Panama Canal may mark an epoch in the commercial life of our city, and possibly a return to the old time maritime supremacy of this section of New England. Opportunity is never a matter of chance, but is largely a matter of preparation and creation. If we desire to share in the opportunities that progressive and enlightened public opinion is unfolding to us we must prepare. I have had occasion many times to criticise the Finance Commission and I feel that I have been justified. Advice of a constructive character that will tend to the moral, social, intellectual and business development of a community is helpful advice, but expression of opinion that city officials are corrupt and that graft is general and maladministration common has a natural tendency to create distrust among those persons seeking an investment for capital, and the establishment of industries calculated to provide remunerative employment to our citizens and add to the wealth and happiness of the community. The demands upon the time of a public official in a large city are such that the opportunity for study of weighty propositions are necessarily limited. I feel the services that could be rendered by a constructive advisory body of men is immeasurable, while that rendered by a criticising body must be reckoned in the negative quality. I believe the time has come when we should all say a good word for the best city in this country, and if unkind words must be said permit them to be said by those who have never had opportunity to enjoy its advantages or become familiar with its opportunities. You meet men from every city in the Union and they speak in praise of their industries, and enlarge upon the enterprise of their leading men while, also, too often, the average Bostonian is prone to discuss a subject derogatory to our city and untrue as to fact. Boston has been more free from corruption than any city of similar size in the world, yet it has nevertheless been unfairly and improperly branded as among the corrupt. And this feeling has been fostered to such an extent that to-day every proposition of moment is regarded with suspicion which the successful culmination of the project alone can destroy. In this connection I want to take occasion to refer to the development of the East Boston Dock Front Company, which to-day pays in wages to workingmen, citizens of Boston, in excess of $55,000 annually, which pays for teaming traffic $18,000, and which does an export and import business, formerly done at the port of New York, amounting in 1909 to $60,000,000, largely the handling of wool, hides and extracts

from South America and Australia, which had not been shipped to this port in a period of twenty-five years. The men who voted for that public improvement were branded and many of them are considered to-day as corrupt men, with no regard for decency and with small regard for the fair name of our city. It has been said that the man who has no enemies has no friends. If we must make enemies, Mr. President, let us make them through our faithful pursuance of a wise legislative policy for our city; and if we must be classed as bores let it be in consequence of constantly seeking the advantages and benefits of the fair City of Boston. Mr. President, in retiring from this Board it is customary to say a word in praise and in thankfulness to the men with whom you have been associated and the men who have served as companions at the regular meetings of this body. It becomes my pleasure at this time to express our thanks collectively, if I may do so with propriety,—my thanks and I believe those of the other members of the City Council—to the Clerk of Committees, that genial, good-natured gentleman, the Hon. John F. Dever; to the City Messenger, Mr Leary, his assistant, Mr. Silloway, and the other assistant; to the Assistant City Clerk, Mr. Doyle, and his assistants; and to Mr. Harnden, the stenographer of this body. They typify extreme courtesy, they typify exact and thorough knowledge of the duties of their offices, and they assist largely the members of this City Council in carrying on the necessary work of the city government. My old friend on the other side of the Chamber (Coun. Ballantyne), to whom I have often referred as Sandy McGregor, I wish to say that I shall miss greatly. I think of him when I read the words of a great poet of his race, with a splendid knowledge of human nature, that "a man's a man for a' that"; to my genial and smiling friend from Charlestown (Coun. McDonald), who quotes so often a poet, perhaps not in the same class with Shakespeare, but one who is well and familiarly known to the members of the old city government, I would say, in the words of that great Charlestown poet, Simon Devine, "May he live and shine." To my friend on the other side of the Chamber, the distinguished member from Ward 11 (Coun. Smith), I would say that I sincerely trust that his term of service in this body will, if it does not contribute to the harmony of every meeting, at least contribute to the amusement. The most necessary element in any government to-day is the man who desires to know, the man who seeks information, and the man who through the possession of that information makes possible the enactment of such legislation as will benefit humanity. He typifies the progressive spirit of the age, and were it possible for him to hold a high office in this country I believe he would soon be, if he is not there already, in the same class with a former president, Theodore Roosevelt. He is radical, he is progressive, he is healthful,—but he detains us here very long sometimes. To my distinguished friend from South Boston (Coun. Kenny), with whom I have had occasion to differ very many times, I want to say that it affords me great pleasure in leaving the City Council to leave with the knowledge that I am on friendly terms with every member of the Council, regardless of how frequently we have differed during our various terms of service. I am glad that this is so. If it were otherwise I might say, in the words of the judge in "Maud Muller,"

"Of all sad words of tongue or pen
The saddest are these,—It might have been!"

To my genial friend from Ward 9 (Coun. Attridge), I want to say that I have enjoyed his friendship and have admired his many sterling qualities during the time that I have been a member of this body. I feel that the city, in John J. Attridge of Ward 9, has secured the services of a faithful, efficient and painstaking public official, whose sole consideration at all times has been not petty notoriety, but the good of the entire community. To my dear friend, the Hon. Timothy (Coun. Buckley), with whom I have campaigned twice in this city, I want to say, and say it with all sincerity, that I shall miss him greatly. I value his friendship most highly, and I trust that his future will be as bright as he desires it. To my friend on the right, Coun. Hale of Ward 11, who was criticised on one occasion for displaying a friendship for me by attending a ball of the Tammany Club, I want to say that he has lost nothing by his friendship, that I respect it and value it, and that those associated with me in public or in private life bear the same relation towards him that I do. I trust that that friendly feeling and that good relation will ever continue. To the scribes with us—since there are none of those mentioned in the good book present—I will say that I am grateful to you for the consideration you have extended to me as a member of this body and to the membership of the body as well. To our genial presiding officer (President Collins), I want to say that in my terms of service in this Board no man in my memory has ever served as presiding officer of the body with greater coolness, with more singular ability or genial good nature, than the present incumbent of the chair. I sincerely trust that his future course, both in public and in private life, will be as his past course has been—such as to reflect honor and credit on him and on the entire community. At this time, in recognition of those splendid qualities and attributes possessed by you, in behalf of your colleagues in this Board, I desire to take this occasion to present you with an article that, in their opinion, typifies your private and your public life and your many splendid attributes. It has a character of the same composition of yours. There is no alloy in it. There is no dross. It is all 14 karat, and it is the wish of every member of this body that it shall be your pleasure to wear it; that it shall always keep correct time, and that, like yourself, in the end it will be found that it has never tarnished, that it has kept bright, that it is pure gold. (Coun. Curley here, amid applause, presented to President Collins a beautiful watch as a tribute from his fellow members and from the officers of the City Council.)

The resolution was passed by a unanimous rising vote.

President COLLINS said:

Fellow members of the City Council, words are hopelessly cold and inadequate to express my real appreciation of this testimonial which you, through the retiring member, Hon. James M. Curley, have given me. I would much prefer at this time not to talk, but to meet you singly and collectively and thank you for your unusual kindness. But I believe I would be remiss in my duty after the eloquent remarks of the gentleman who for many years has been in the city government of Boston, if I did not say at this juncture just a few words, first as to what we have done, and secondly, as expressing my sincere gratitude for your constant kindness. It has been said that Boston is a city of 700,000 people and that we have had many demands made upon our time, and I concur with the gentleman who preceded when he states that the City Council of 1911 has been a body which has had but a single purpose, and that the safeguarding of the best interests of Boston. You may inquire, in what respect has that been true? To illustrate,—in the first place, take our highway development. This year has seen realized improvements long sought for, but never accomplished. An order for the extension of Pleasant street, involving an expenditure of $900,000, has been passed by this city government, accepting the legislation of the preceding Legislature of the Commonwealth. In the great Dorchester district there was for many years a constant and meritorious attempt to get started a public improvement known as the widening of Norfolk street. This year's city government has seen fit to appropriate $150,000 for that purpose and that improvement will be under way in a few months. As a member of this City Council and through your good graces your presiding officer, it has been my good fortune to live in that district, and I can speak with conscientiousness and directness when I say that that improvement stamps this city government as standing for meritorious street improvements in the suburban sections. That is not all. You appropriated as well $300,000 for the building and acceptance of new streets. In my opinion great and effective work can be done by the city government, and constructive work, in the words of the gentleman who has just spoken—by planning street improvements from year to year in a comprehensive way, because, when you consider it, everyone uses the streets and their condition is everybody's concern. The old adage that "everybody's business is nobody's business," has been applicable for years in this city. In recent years substantial progress in street improvements has not been made in our community. As to the large prospective improvement of which the retiring member has spoken, the extension of Arlington street, I may say, as the presiding

officer of this Council—and I believe I am voicing the sentiments of the majority of the members of the Council and the Council itself—that this Council will look at that matter fairly and meet it on its merits, within a very short time. The attitude of the Council has been misconstrued by some. The attitude of the Council was simply to postpone final action on that proposition until it could get all the evidence, and then weigh it as a jury of nine men, whom I have known to be tried and true. The result will be, I am confident from what we have seen of the work of the Council of last year and this year, action for the best interests of the City of Boston. Our borrowing capacity at the beginning of the year was $3,780,983; on December 31, 1911, we had the right to borrow $748,983.47. I believe that this year's Council has followed wisely the action of last year's body, in always keeping in reserve at least $500,000 to meet an emergency. We have steadfastly kept to the rule of paying nothing for maintenance by way of loan, and I believe that the new city government of Boston has forever emblazoned itself on the pages of efficient municipal history by adhering to that proposition. We went perhaps a little farther than any of the other city governments of the east, if not of the country, in taking a step in advance, because this year we had many hundreds of thousands of dollars on hand in the way of reserve, and it was our opinion that the city should not borrow unless it had to. We have followed the old advice that you must not borrow if you have the money in the bank drawing interest at less than you would have to pay on loans that might be issued; and this year, by way of special appropriation for permanent, improvements, we have expended over $800,000. I think it is a beautiful tribute to this Council and shows its impartiality, that it has appropriated money for districts which, in the old sense of the term had no representation; in our sense of the term, none living within those precincts who were members of our body. Although representatives from those parts of the city were lacking in person, they were here in spirit, and for East Boston, West Roxbury and Brighton we have appropriated large sums of money for meritorious municipal improvements. I think also it is a thing to be signally proud of—and I wish to say this to the gentleman who is retiring and to his colleague who lives in the same ward—that during these two years of most remarkable public improvements and demands, both the retiring member and his associate from the same section have never come forward here and advocated strenuously any substantial improvements for their own locality; showing conclusively that they have kept within the spirit of the new charter and have looked at the city as a whole. Fellow members of the Council, I did not intend to talk, and, as I have already said, remarks on my part are futile, because I cannot express to you in the true sense of the term my real gratitude. You have given me this testimonial as your presiding officer. As your president, I have tried to be fair to all. From the day when I was so chosen until to-day, I have tried always to realize that I was the presiding officer of all the members of the Council, and not of any two three, four, five, six or seven. I have adhered steadfastly to the principle that every man was entitled to a fair hearing, and in my rulings I believe I have been just to all. At this time permit me to thank collectively and individually the officials who have helped me to carry the ball. I do not think at this late hour I should mention all the names, because Coun. Curley has done it admirably and well, and I realize that you do not like repetition. I wish to thank our City Clerk, our assistant city clerk, our clerk and assistant of committees, our City Messenger and his assistants, and our official stenographer. To the Press I express my heartfelt thanks, because I had an experience during the past year which few presiding officers have had which has enabled me to appreciate their courtesy and kindness, filling, as I did, for months, the position of chief executive of the city. They have my gratitude, because they have all treated me fairly, without prejudice and without favor. In conclusion, I repeat that this City Council has stood for the best interests of Boston. Many questions have come before us. To two in particular I refer, before closing—namely, the lighting of the smaller lamps of the city, and the garbage contract. Both of those propositions previous city governments for many years have wrestled with, but without success. This city government has settled them on a stable basis for many years to come, something that it was not the good fortune of our predecessors to accomplish. To the retiring member, with his long legislative experience, I would say that never in my experience in the Legislature nor in the City Council have I seen a member more alert or keen in parliamentary practice, or with a greater or quicker grasp of public questions which have come before us than that gentleman; and yet, with his wide experience and his alertness in parliamentary procedure, there has been no member of this City Council who has at all times shown the Chair greater respect than he. In the words of the old man of the mountains,—and I know that in this I am voicing the sentiments of the City Council—when he leaves us I extend to him the hearty wish that he may "live long and prosper." In conclusion, fellow members, all I can say is that I thank you.

"In faith and hope the world will disagree,
But all mankind's concern is charity."

In all the deliberations which have gone on during the past year, that vital, strong and human characteristic has not been lacking among the members of this Council. Before taking my chair I believe it is my duty to tell you something that I believe it is your wish and your right to know. You may ask whether or not I shall be a candidate for this office next year. My answer is, unequivocally, no, I am not a candidate. Again, fellow members of the Council, officials, and the retiring member, I thank you sincerely. (Applause.) The Chair awaits the pleasure of the Council.

The City Council of 1911 adjourned *sine die*, on motion of Coun. CURLEY, at 3.50 o'clock p. m.

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